

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
September 14, 2021

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, September 14, 2021, 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:**

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

**Other Officials Present:**

John A. Vithoukas, County Manager  
J. T. (Tom) Tokarz, County Attorney  
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board  
W. Brandon Hinton, Deputy County Manager for Administration  
Monica Smith-Callahan, Deputy County Manager for Community Affairs  
Anthony E. McDowell, Deputy County Manager for Public Safety  
Cari Tretina, Assistant to the County Manager/Chief of Staff  
Steven J. Yob, Deputy County Manager for Community Operations  
Benjamin A. Sheppard, Director of Public Relations

Rollin Mohler, Chaplain for the Henrico Police Division, delivered the invocation.

On motion of Mr. Nelson, seconded by Mr. Thornton, and by unanimous vote, the Board approved the August 10, 2021, Regular and Special Meeting Minutes.

The vote of the Board was as follows:

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

No: None

**MANAGER'S COMMENTS**

The County Manager recognized Mark Ballos, an inspector in the Department of Community Revitalization, who recently handled a County Code violation and provided excellent customer service in resolving the problem. For his outstanding work, the County Manager inducted him into the Henrico County Manager's Circle of Excellence in Public Service.

The County Manager recognized nine employees of the Department of Public Works who provided exceptional customer service in clearing a tree that had fallen into the right-of-

way and residents' yards. The County Manager inducted Mike McLaughlin, Clayton Jefferson, David Madison, Anthony Burrell, Duwayne Ooft, Glenn Hicks, John Askew, Jeff Kirk, and Wilhelmenia Reid into the Henrico County Manager's Circle of Excellence in Public Service.

Monica Smith-Callahan, Deputy County Manager for Community Services, noted that the County has pledged to go gold during Childhood Cancer Month in September at the request of Melissa Smith, a resident of the Varina District, who lost her daughter Maya in September 2019.

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

Mrs. O'Bannon recognized Percell Jackson, a senior at Glen Allen High School, who is responsible for the creation of a memorial at the Woodman Road Training Facility consisting of two brick pillars supporting a section of World Trade Center steel donated by the Freedom Flag Foundation and two plaques provided by the Henrico Firefighters Foundation.

Mr. Schmitt announced the ribbon cutting of J. R. Tucker High School Welcome Center honoring County Manager John Vitoulkas.

Mr. Nelson noted the scheduled ribbon cuttings for J.R. Tucker High School, Holladay Elementary School, and Highland Springs High School.

Mr. Schmitt applauded the recent 9/11 Memorial Service at the Richmond Raceway and a Christmas Mother event at Cross Ridge.

### **RECOGNITION OF NEWS MEDIA**

There were no media representatives present.

### **PRESENTATION**

Mr. Nelson presented a proclamation recognizing September 2021 as Recovery Month. Accepting the proclamation was Christopher Jacobs, Probation Unit Manager. Joining him were Aimee Broadney, Probation Supervisor, and Sarah Perkins-Smith, Drug Court Administrator.

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

273-21 REZ2021- 00026 Three Chopt	Highwoods Realty Limited Partnership: Request to conditionally rezone from A-1 Agricultural District and M-1C Light Industrial District (Conditional) to UMUC Urban Mixed Use District (Conditional) Parcels 750-768-0643, 750-768-4593, 750-768-4929, and 750-768-8514 and part of Parcels 751-768-2072, 751-769-0332, and 751-769-4739 containing 33.801 acres located on the north line of Nuckols Road between Lake Brook Drive and Interstate 295.
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The Board was advised that the applicant had requested a deferral of the case and the following related case. No one from the public spoke in

opposition to the deferral.

On motion of Mr. Thornton, seconded by Mr. Branin, and by unanimous vote, the Board deferred this item to the October 12, 2021, meeting.

The vote of the Board was as follows:

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

No: None

274-21  
PUP2021-  
00010  
Three Chopt

Highwoods Realty Limited Partnership: Request for a Provisional Use Permit under Sections 24-32.1 (a, b, i, l, p, s, v, w, z), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: outdoor vending areas; commercial parking lot; greater floor area for any use with floor area limitations; heliport; outdoor, commercial recreational facilities; buildings and structures exceeding 60' in height; open space of less than 20 percent within a development; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; and number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district on Parcels 750-768-0643, 750-768-4593, 750-768-4929, and 750-768-8514 and part of Parcels 751-768-2072, 751-769-0332, and 751-769-4739 located on the north line of Nuckols Road between Lake Brook Drive and Interstate 295.

On motion of Mr. Thornton, seconded by Mr. Branin, and by unanimous vote, the Board deferred this item to the October 12, 2021, meeting.

The vote of the Board was as follows:

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

No: None

251-21  
REZ2021-  
00005  
Fairfield

Godsey Properties, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 804-726-5470 and 804-726-5470.001 containing 120.4 acres located on the north line of Creighton Road at its intersection with Gordon Lane (Glenwood Golf Club).

Sohail Safer, a resident of the Fairfield District, spoke in opposition to the case because of traffic and safety concerns. He has discussed traffic issues with the Traffic Engineer and believes traffic will only increase with the new development.

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 this case with the following proffered conditions:

1. **Concept Plan.** The Property shall be developed in general conformance with the concept plans (5 sheets) entitled "Glenwood, Fairfield District, Henrico County, Virginia, Overall Plan, SHEET NO. C1", "Glenwood, Fairfield District, Henrico County, Virginia, Layout Plan (West), SHEET NO. C2", "Glenwood, Fairfield District, Henrico County, Virginia, Layout Plan (East), SHEET NO. C3", "Glenwood, Fairfield District, Henrico County, Virginia, Details, SHEET NO. C4", and "Glenwood, Fairfield District, Henrico County, Virginia, Details, SHEET NO. C5", each prepared by the Bay Companies and dated May 6, 2021, last revised June 24, 2021 (see case file) and attached hereto (collectively, the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of subdivision or plan of development review of the Property.

2. **Buffer Requirements.**

a. **Overall.** Any buffer within the Property required herein shall be natural and landscaped, including supplemental plantings, signage, berms and other purposes as approved 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 unless otherwise approved at the time of subdivision or plan of development review. All buffers, whether in common area or a lot, shall be maintained by the Association.

b. **Twenty-Five Foot Buffer.** The area shown on the Concept Plan as "25' BUFFER" shall be a minimum twenty-five (25) foot natural and landscaped buffer and planted at a minimum to the level of a transitional buffer 25. Such buffer along Creighton Road shall include a berm a minimum of 4' in height, with landscaping on top, as approved at the time of subdivision or plan of development review.

c. **Ten Foot Buffer.** The area shown on the Concept Plan as "10' BUFFER" shall be a minimum ten (10) foot natural and landscaped buffer and planted at a minimum to the level of a transitional buffer 10. Such buffer shall be located in common area and not within a lot.

3. **Street Trees.** Street trees, a minimum caliper of 2 ½ inches at the time of planting, shall be planted along any street or on a lot adjoining the public right-of-way within the Property, at intervals of not more

than 40 feet on center, unless otherwise approved at the time of subdivision or plan of development review. A conceptual landscape plan shall be developed and submitted for review and approval at the time of subdivision or plan of development review. Every lot with a dwelling unit shall have a minimum of one such tree planted in the front yard.

4. **Specimen Trees.** Any trees with a minimum caliper of 72 inches at the time of subdivision review located in the common areas shall be identified on the subdivision plat and best efforts will be made to preserve such trees.
5. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines required to be above ground by the utility company.
6. **Best Management Practices.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water related feature, or unless approved at the time of subdivision or plan of development review. Any wet pond best management practice structures shall include an aeration feature to move water within such structure.
7. **Protective Covenants.** Prior to or concurrent with the recordation of the initial subdivision plat approved for the Property, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the "County"), setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations (the "Association"). All common amenities and common areas shall be maintained by the Association for the benefit of the owners, residents, tenants and their guests. Any fencing located in the rear yard of any lot located along Creighton Road shall be subject to Association approval and any such fencing shall be consistent in style, material and color for all such lots and be of an earth tone color (not white).
8. **Common Amenities.** Common amenities, including pedestrian areas, trails, walks, pavilions, grilling stations, benches, pedestrian bridges, and other amenities shall be provided throughout the development to provide pedestrian connectivity and common areas throughout the entire project, at a minimum as generally shown on the Concept Plan. A pedestrian and amenity phasing plan shall be submitted for review and approval as part of the first subdivision or plan of development request for the Property. This plan shall include the design, material and location of pedestrian elements. Trails/walks within the Property shall be constructed of concrete, exposed aggregate concrete, asphalt, stone, pavers, or brick or soft surfaces such as pea gravel, boardwalks, crushed gravel, loose stone, stone dust or other material approved at the time of subdivision or plan of

development review or required by any governmental entity. Common amenities shall be designed to include amenities that add high visual interest, such as, but not limited to benches; landscaped areas; plantings; bike racks; and other pedestrian elements. Decorative pedestrian-style lighting, a minimum of four feet in height, shall be placed at a distance of no greater than 150 linear feet between such lights, unless otherwise approved or requested by the Director of Planning along the trails shown on the Concept Plan (a) connecting the pavilions, as shown on the Concept Plan as "PEDESTRIAN PATH LIGHT (TYP)", and (b) running from the northern boundary line of the Property adjacent to Hidden Creek Park to the southern boundary line of the Property adjoining Creighton Road. The Association shall be responsible for the maintenance of all such amenities, including, without limitation, any trails.

9. **C-1 Conservation District.** Prior to filing the final subdivision plan, the Owner/Applicant shall apply to rezone such portions of the Property situated within the 100-year floodplain/special flood hazard area to a C-1 Conservation District. The location and limits of such portions of the Property shall be established by definitive surveys approved by the Department of Public Works.

10. **Hours of Construction.** The hours of exterior construction (such as earth moving, grading or land clearing activities) including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m. (or dusk, whichever occurs first), Monday through Friday, and 8:00 a.m. and 7:00 p.m. (or dusk, whichever occurs first) 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. Signs, in both English and Spanish, stating the above referenced provisions shall be posted and maintained at all entrances to the Property prior to any land disturbances activities thereon.

**11. Elevations/ Architecture/Conceptual Site Plan.**

- a. Applicable to all dwellings:
  - i. Various design elements will be incorporated to provide variety among individual units including, but not limited, to the following:
    - 1. varying colors of brick, brick accents, and stone (including, but not limited to, keystones, soldier courses and accent coloring different from any main brick or stone coloring);
    - 2. varying colors of siding, and varying window designs; and
    - 3. no two dwellings adjoining each other side by side or directly across or diagonally across the street from each other shall be identical in exterior architectural features and colors

- ii. The exterior walls of all dwellings shall be constructed with brick, stone, dryvit, high-grade vinyl (a minimum of 0.046" nominal thickness as evidenced by manufacturer's printed literature), hardiplank or an equivalent, a combination thereof or such other materials approved by the Director of Planning.
  - iii. At least sixty-five percent (65%) of the dwellings shall have front elevations constructed with a minimum of thirty percent (30%) brick or stone.
  - iv. At least thirty percent (30%) of the dwellings shall have covered front porches.
  - v. All trim shall be of a low maintenance material.
  - vi. All front steps shall be constructed of brick, concrete or such similar maintenance free material as approved by the County.
  - vii. Any side facade facing a street right of way shall have at least two (2) windows unless it has a side entry garage and then it will have at least one (1) window.
- b. Development of dwellings located on lots shown on Sheet C2 of the Concept Plan ("Western Lots") shall be similar to the architectural appearance shown on the renderings on Exhibit B, dated June 30, 2021 (see case file), unless otherwise requested and specifically approved at the time of subdivision or plan of development review or later by the Director of Planning.
- c. Development of dwellings located on lots shown on Sheet C3 of the Concept Plan ("Eastern Lots") shall be similar to the architectural appearance shown on the renderings on Exhibit C, dated June 30, 2021 (see case file), unless otherwise requested and specifically approved at the time of subdivision or plan of development review or later by the Director of Planning. All gables over garages will have a window, consistent with the renderings show on Exhibit D.

**12. Density.** There shall be no more than 290 single family detached dwelling units developed on the Property. At least 60% of the lots shall have a lot of width of 70 feet or greater, at least 50% of the lots shall have a lot of area of at least 9,500 square feet. No lot shall be less than 67 feet in width nor less than 8,000 square feet in lot area. Such percentages shall be measured and achieved at development of 50% of the possible lots submitted for subdivision or plan of development review, at 75% of the possible lots submitted for subdivision or plan of development review, and 100% of the possible lots submitted for subdivision or plan of development review.

**13. Minimum House Size.** No more than 40 dwellings on the Eastern Lots shall be permitted to be a minimum of 1,338 square feet of finished floor area. Otherwise all dwellings shall have a minimum of

1,500 square feet of finished floor area, provided, however, a minimum of 40% of all dwellings shall be a minimum of 1,800 square feet and a minimum of 20% of all dwellings shall be a minimum of 2,000 square feet.

14. **Foundations.** The exposed exterior portions of any exterior residence foundation below the first floor level which is visible above grade, shall be constructed of brick or stone (including stone veneer). There shall not be a gap (moisture barrier) below any stone veneer on a foundation. Suitable finished materials along the base of the foundation (between the stone veneer and natural grade), shall be provided, including, but not limited to brick, split face block, parging or other materials approved by the Director of Planning. All dwellings shall be built on a crawl space foundation, other than for garages and basements, provided for basements and tall crawl space foundations the foundation shall be permitted to step down along the sides and rear of the dwelling (a minimum of 24" of exposed brick or stone along the sides of the dwelling and a minimum of 12" of exposed brick or stone along the rear of the dwelling). There shall be a minimum vertical height of twelve (12) inches of brick, stone or stone veneer above grade utilized on garages to present the appearance of a foundation. Planting beds shall be constructed along the entire front elevation of a home, and on corner lots, on the side of the dwelling facing the street, except for areas used for porches, garages and architectural features. The planting beds shall contain landscaping consisting primarily of shrubs and ornamental ground coverings and plantings.
15. **Chimneys and Cantilevered Features.** No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick, stone, or siding similar to the exterior treatment of the dwelling. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. Architectural features may extend beyond the facade if supported by decorative corbels.
16. **Driveways.** All driveways shall be constructed of asphalt, concrete, exposed aggregate material or pavers made of brick, stone or concrete.
17. **Lighting.** A lighting fixture shall be provided by the home builder on the front yard of each lot no greater than ten (10) feet from the front boundary line, individually connected to each dwelling, which fixture shall not exceed seven (7) feet in height above grade level. Such lighting fixture shall be powered by solar (photovoltaic) cells or its equivalent style. Such lighting shall be non-glare, decorative in style, and residential in character and shall be maintained by the Association, including, replacement of light bulbs and repair of lighting fixtures. A streetlight, of a design and height as approved at the time of subdivision or plan of development review, shall be placed at each entrance onto Creighton Road as well as at each pavilion



provided in the common areas, all in the general locations shown on the Concept Plan as "STREET LIGHT (TYP)". Further, streetlights shall be placed along Creighton Road between the entrances off of Creighton Road at a distance of no more than 400' between lights or from the nearest entrance, which such lights may be powered by solar (photovoltaic) cells.

18. **Yards.** All front yards, side yards and a minimum of 30' of the rear yards (measured from the rear of the dwelling) shall be sodded, exclusive of mulched flowerbeds and landscaping, and irrigated. A minimum of 2 trees (with a minimum of 2" in caliper at the time of planting) shall be planted within the side yard of all corner lots. A minimum of trees (with a minimum of 2" in caliper at the time of planting) shall be planted in the front yard of all Eastern Lots. The Association will provide maintenance of all lawns located in the front yard of all Eastern Lots.
19. **Sidewalks.** A four foot wide sidewalk will be installed with a planting strip, a minimum of two (2) feet, between the sidewalk and the curb of any public street. This sidewalk shall be installed along at least one side of all public streets within the subdivision. There shall be a sidewalk connection at each of the entrances into the project to the sidewalk along Creighton Road.
20. **Garages.** All dwellings will have a minimum of a one (1) car garage either attached or detached at the time of construction, at least 30% of the Western Lots shall load from the side or rear of the lot and at least 30% of the Eastern Lots shall load from the side or rear of the lot, and a minimum of 35% of all lots on the Property shall load from the side or rear of the lot. Every garage door shall include windows consistent with the elevations shown on Exhibit B and Exhibit C as well as raised panels or decorative panels. Flat panel garage doors are prohibited. At least 50% of the garage doors will have a minimum of two (2) of the following enhanced features: arches, hinge straps or other architectural features on the exterior that enhance the entry. No two dwellings adjoining each other side by side shall have identical design elements on their front loading garage doors, and on the Eastern Lots, the same color garage door. The exterior walls of any detached garage shall be constructed with the same material as the dwelling on that lot. Any areas over the garage doors exceeding four (4) feet in height will include either a decorative gable vent or vinyl trim board to break up the visual mass.
21. **Road Improvements.** The following road improvements and dedications shall be made by the applicant as required by the County at the time of any subdivision or plan of development review, unless otherwise approved by the Director of Public Works:
  - a. Forty (40) feet of right-of-way on the west side of Creighton Road, measured from the centerline of that part of Creighton

Road immediately adjoining the Property, shall be dedicated to the County. Should any of the dedicated right-of-way not be used for a new road within thirty (30) years of the date of the dedication, title to the dedicated property will revert to the applicant or its successors in interest.

- b. Creighton Road shall be widened to the width of twenty (20) feet from the centerline of that part of Creighton Road immediately adjoining the Property.
- c. Right turn lanes shall be provided off of Creighton Road at each entrance into the development.
- d. Subject to obtaining all required governmental approvals and permits, a sidewalk shall be constructed along Creighton Road immediately adjoining the Property pursuant to current County road standards and specifications for sidewalks.

22. **Entrance Features.** The entrances to the property from Creighton Road shall be designed and complemented with landscaping and a monument entrance feature with decorative fencing (to be vinyl or other material approved at the time of subdivision or plan of development review, and earth tone colors (not white)) consistent with the features shown on Sheet C5 of the Concept Plan.

23. **Compliance Certification.** Upon request by the Director of Planning, the Applicant shall provide the County with the necessary calculations that illustrate that the dwellings and lots constructed on the Property are in compliance with all of the allowable and required percentages set forth in these proffers.

24. **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: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

252-21  
PUP2021-  
00001  
Fairfield

Godsey Properties, Inc.: Request for a Provisional Use Permit under Sections 24-13.4(c), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow adjustable side yard setbacks for lots within the R-5A General Residence District on Parcels 804-726-5470 and 804-726-5470.001 located on the north line of Creighton Road at its intersection with Gordon Lane (Glenwood Golf Club).

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 followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. All proffers approved with rezoning case REZ2021-00005 shall be made a part of this Provisional Use Permit.
2. The side setbacks listed in Section 24-13.4(c) of the County Code shall be utilized for development on the entire subject property. Standards for detached and semidetached dwellings listed in Section 24-13.1(d)(2) can no longer be used on the subject property.

The vote of the Board was as follows:

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

No: None

275-21  
REZ2021-  
00040  
Tuckahoe

Starbucks Corporation: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 762-731-2489 containing .434 acres located on the south line of River Road at its intersection with Huguenot Road (State Route 147).

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

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 item with the following proffered conditions:

1. **Concept Plan.** The Property shall be developed in general conformance with Exhibit A (see case file) entitled "Site Plan," dated August 9, 2021, and prepared by Kimley-Horn and Associates, Inc. (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of Plan of Development review of the Property.
2. **Architectural Treatment.** Any building located on the Property shall be generally in conformance with the elevations in EXHIBIT B (see case file), unless requested and approved by the Director of Planning at the time of Plan of Development review.
3. **Use Restrictions.** Use of the Property shall be limited to the following:
  - (a) All uses permitted in the B-1 Business District shall be permitted.

- (b) All restaurants permitted in the B-2 Business District, including drive-through services, provided, however, no restaurant shall be used for a fast food and/or carryout restaurant, not to exclude, however, fast-casual restaurants such as Panera and Starbucks, restaurants with dedicated parking for the pickup of carry-out food, nor restaurants whose primary business is the sale of specialty coffees or other non-alcoholic beverages or pastry.
- 4. **Trash Receptacle.** Dumpsters and trash receptacles, not including convenience containers, shall be screened from public view at ground level at the perimeter of the Property, with brick on three (3) sides complementary to the main building on the Property. The fourth (4<sup>th</sup>) side shall have a gate or door that is of a substantial and durable material as determined at the time of Plan of Development review. 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. The location of any dumpster on the property shall be as generally shown on the Concept Plan.
- 5. **HVAC.** Any heating, ventilation, and air conditioning units placed on the Property shall be screened by architectural features (such as a fence or wall) which are compatible with the building façade architecture.
- 6. **Outdoor Speakers.** Any outdoor speaker on the Property shall be limited in audible range so as not to extend beyond the north-eastern right-of-way line at Huguenot Road and River Road.
- 7. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

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

No: None

276-21  
REZ2021-  
00035  
Fairfield

Hillwood Enterprises, L.P.: Request to rezone from M-2C General Industrial District (Conditional) and C-1 Conservation District to C-1 Conservation District part of Parcels 795-749-4431 and 796-747-9944 containing 233 acres located approximately 100' north of the intersection of the Richmond Henrico Turnpike (State Route 627) and the north line of the C&O Railroad.

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 followed the recommendation of the Planning Commission and approved this item.

The vote of the Board was as follows:

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

No: None

277-21  
PUP2021-  
00014  
Brookland

William (Henry) Brummitt: Request for a Provisional Use Permit under Sections 24-55(i), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow outdoor dining for an existing restaurant on part of Parcel 764-764-9325 located on the west line of Staples Mill Road (U.S. Route 33) approximately 550' north of its intersection with Old Courtney Road.

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

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 item subject to the following conditions:

1. The outdoor dining areas shall not be in operation between 11:00 p.m. and 7:00 a.m.
2. Sound production or reproduction machines or devices (including musical instruments, loudspeakers, and sound amplifiers) must not be played in the outdoor seating areas, nor within the interior of the restaurant if the roll up door is open, at volumes clearly audible inside a dwelling not located on the same property as the restaurant.
3. 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 100 feet from the source.
  - c. Sound systems may be used only when outside dining is permitted.
4. The operator shall not permit food preparation outside the enclosed building.
5. The outdoor dining areas shall be constructed in general conformance with the layout depicted in the case file.
6. The fence enclosure and roof structure shall be similar to exhibits in the case file. Fencing shall be of a black wrought iron style and limited in height to 48 inches in height.

7. Outdoor lighting fixtures shall complement the style of the building. Lighting fixtures shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining areas.
8. Access to the outdoor dining areas shall be available only through the interior of the restaurant, except during an emergency when patio fence exit gate may be utilized.
9. This permit shall apply only to the tenant space currently occupied by JJ's Grille.
10. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
11. Outdoor dining furniture, fencing, and canopies shall be of durable material and complementary to exterior features of the building as seen in the case file.
12. Televisions and other video display devices shall not be visible from adjacent drive aisles and parking areas.
13. 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 resulting from this review.
14. Details of the design and use of a fire pit or other outdoor heating element shall be submitted to the Director of Planning and approved by the Fire Marshal and Planning Director to ensure safety features are in place.
15. The temporary outdoor dining area located in front of the restaurant approved during the state of emergency shall be removed prior to the use of the permanent outdoor dining areas.
16. In the event that evidence (*i.e.*, police calls to the premises, complaints from other businesses or neighbors) indicates the operation of the outdoor dining is having an adverse effect (*i.e.*, increased public nuisance, loitering, excessive noise outside the building, etc.) on the surrounding area, the Board of Supervisors may hold a public hearing to consider revoking the provisional use permit.
17. A clear, continuous, and unobstructed pedestrian path not less than five feet (5') in width shall be required for pedestrian circulation outside of the outdoor dining area located along the front exterior of the restaurant.

The vote of the Board was as follows:

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

No: None

278-21  
PUP2021-  
00016  
Varina

HTS Towers, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a communication tower up to 165' in height and related equipment on part of Parcel 831-688-1711 located on the east line of Turner Road approximately 450' southeast of its intersection with Three Foxes Drive.

Ruben and Jean Mayfield, residents of the Varina District, spoke in opposition to the item. They are the prior owners of the property and understood that a single family home would be built on the property, not a cell tower. They believe the proposed tower is too close to their property.

Mr. and Mrs. Roane, residents of the Varina District, also opposed the request because the tower would be located directly across from their home and be an eye sore.

Jean Moore, Assistant Director of Planning, stated the closest residential property to the tower is 1,700 feet away and noted that some existing cell towers near the area will be decommissioned.

C. E. Forehand spoke via Webex on behalf of the applicant. He stated the proposed tower will be behind the existing Dominion Power substation and will not be much taller than what is currently on the property. He stated the applicant will maintain the tree buffer currently around the compound.

On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board deferred this item for further study to the October 12, 2021, meeting.

The vote of the Board was as follows:

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

No: None

279-21  
REZ2021-  
00037  
Three Chopt

Ram Misra: Request to amend proffers accepted with C-8C-01 on Parcel 737-754-6589 located on Brandyview Lane approximately 265' west from its intersection with Clary Preston Drive.

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

Mr. Branin requested additional information from the applicant, including a survey of his property.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board deferred this item to the November 9, 2021, meeting.

The vote of the Board was as follows:

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

No: None

### **PUBLIC HEARINGS - OTHER ITEMS**

280-21 Resolution - Authorizing the Issuance and Sale to the Virginia Public School Authority of Not to Exceed \$55,000,000 Aggregate Principal Amount of the County of Henrico, Virginia, General Obligation School Bonds.

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

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

281-21 Resolution - Signatory Authority - Conveyance of Real Property - 1015 Pennsylvania Avenue - Fairfield District.

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 approved this item – see attached resolution.

282-21 Resolution - Signatory Authority - Conveyance of Real Property - 2424 Homeview Drive - Three Chopt District.

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

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

283-21 Resolution - Signatory Authority - Easement Agreement - Virginia Department of Transportation - Three Chopt District.

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

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

284-21 Ordinance - Vacation of Building Line - River Road Farms Subdivision - Tuckahoe District.

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



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

- 285-21 Resolution - Abandonment of Unused Right-of-Way - Proposed Green City Development - Fairfield District.

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 approved this item – see attached resolution.

- 286-21 Resolution - Signatory Authority - Conveyance of Abandoned Portion of Millers Lane - Varina District.

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

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

### **PUBLIC COMMENTS**

Anthony Horne, a resident of the Brookland District, requested special attention to accuracy and timeliness in reporting the results of the upcoming election because of issues in reporting results during the 2020 general election.

### **GENERAL AGENDA**

- 287-21 Introduction of Ordinance - To Add Article VIII Titled “Residential Rental Inspection Program” to Chapter 6 of the Code of the County of Henrico to Create a Program to Inspect Residential Rental Dwelling Units for Building Code Violations and to Establish a Rental Inspection District for Glenwood Farms.

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

- 288-21 Introduction of Resolution - Receipt of Requests for Amendments to the FY 2021-22 Annual Fiscal Plan to Reappropriate Funds for Continuing Programs and Appropriate Funds for Certain New Programs.

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

- 289-21 Introduction of Resolution - Receipt of Request for Amendments to FY 2021-22 Annual Fiscal Plan - ARPA Funding.

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

290-21 Introduction of Resolution - Receipt of Request for Amendments to FY 2021-22 Annual Fiscal Plan - ESSER III Funding.

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

291-21 Introduction of Ordinance - To Amend and Reordain Section 20-273 Titled "Definitions," Section 20-274 Titled "Levy; amount," Section 20-275 Titled "Collection," and Section 20-276 Titled "Reports and remittance of tax" of the Code of the County of Henrico to Conform to 2021 Changes in State Law Regarding Transient Occupancy Taxes.

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

292-21 Resolution - Donation of Surplus Vehicle - Excel to Excellence - Varina District.

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

293-21 Resolution - Award of Contract - Detox and Recovery Program Consulting Services.

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

294-21 Resolution - Approval of Third Interim Agreement - Indoor Sports Facility and Convocation Center - Fairfield District.

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

295-21 Resolution - Acquisition of Right-of-Way and Easements - 11400 Ireland Lane - Sadler Road Improvements Project - Three Chopt District.

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

296-21 Resolution - Acquisition of Right-of-Way and Easements - 4729 Sadler Road and 11211 Sadler Oaks Drive - Sadler Road Improvements Project - Three Chopt District.

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

297-21 Resolution - Acquisition of Right-of-Way and Easements - 4870 Sadler Road - Sadler Road Improvements Project - Three Chopt District.

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

298-21 Resolution - Acquisition of Right-of-Way and Easements - Hayloft Lane - Sadler Road Improvements Project - Three Chopt District.

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

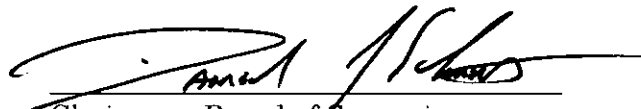
299-21 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - Libbie Avenue Improvements - Brookland District.

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

300-21 Resolution - Approval of Proposed Bankruptcy Plan - Mallinkrodt.

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

There being no further business, the meeting was adjourned at 9:21 p.m.



Chairman, Board of Supervisors  
Henrico County, Virginia

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## PROCLAIMING RECOVERY MONTH

*September 2021*

**WHEREAS**, behavioral health is a fundamental component of personal well-being; and

**WHEREAS**, substance use disorders undermine many aspects of personal health, employment, and family life; and

**WHEREAS**, substance use disorders also have significant detrimental effects on society as a whole; and

**WHEREAS**, prevention and treatment of substance use disorders has become increasingly important in recent years; and

**WHEREAS**, Henrico County is working to coordinate public and private treatment programs, develop community detoxification services, and provide access to Naloxone, a lifesaving medication to reverse the effects of opiate overdoses; and

**WHEREAS**, it is vital that family members and friends recognize the signs of substance use disorders, guide those in need to appropriate treatment and recovery services, and support patients during and after treatment; and

**WHEREAS**, social supports from family, friends, and the greater community enhance the chances of long-term recovery; and

**WHEREAS**, Recovery Month is observed across the nation during the month of September to provide an opportunity to educate public officials, civic leaders, family members, and everyday citizens about the need and benefits of effective substance use treatment.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia, hereby recognizes September 2021 as Recovery Month and endorses this year's theme: "Recovery is For Everyone: Every Person, Every Family, Every Community."



  
Daniel I. Schmitt, Chairman



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

Agenda Item No. **280-21**  
Page No. 1 of 1

**Agenda Title: RESOLUTION — Authorizing the Issuance and Sale to the Virginia Public School Authority of Not to Exceed \$55,000,000 Aggregate Principal Amount of the County of Henrico, Virginia, General Obligation School Bonds**

For Clerk's Use Only:  Date: <u>9/14/2021</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<b>BOARD OF SUPERVISORS ACTION</b>  Moved by (1) <u>Nelson</u> Seconded by (1) <u>O'Bannon</u> (2) _____   (2) _____  REMARKS: <b style="font-size: 2em; letter-spacing: 0.5em;">APPROVED</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 30%;">YES</th> <th style="width: 30%;">NO</th> <th style="width: 30%;">OTHER</th> </tr> </thead> <tbody> <tr> <td>Branin, T.</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Nelson, T.</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>O'Bannon, P.</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Schmitt, D.</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Thornton, F.</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> </tbody> </table>		YES	NO	OTHER	Branin, T.	✓	—	—	Nelson, T.	✓	—	—	O'Bannon, P.	✓	—	—	Schmitt, D.	✓	—	—	Thornton, F.	✓	—	—
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Branin, T.	✓	—	—																							
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O'Bannon, P.	✓	—	—																							
Schmitt, D.	✓	—	—																							
Thornton, F.	✓	—	—																							

After a duly advertised public hearing, the Board of Supervisors adopted the attached resolution.

Comments: This resolution was prepared by the County's bond counsel and has been reviewed and approved as to form by the County Attorney. The School Board adopted a resolution on August 12, 2021, requesting the Board of Supervisors approve this resolution.

By Agency Head  By County Manager

Routing: \_\_\_\_\_  
 Certified: \_\_\_\_\_  
 A Copy Teste: \_\_\_\_\_  
 Copy to: \_\_\_\_\_  
 Clerk, Board of Supervisors  
 Date: \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY OF NOT TO EXCEED \$55,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE COUNTY OF HENRICO, VIRGINIA, GENERAL OBLIGATION SCHOOL BONDS**

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

SECTION 1. Findings and Determinations. The Board of Supervisors (the "Board of Supervisors") of the County of Henrico, Virginia (the "County"), hereby finds and determines as follows:

(a) On August 12, 2021, the County School Board of Henrico County (the "School Board") adopted a resolution (the "School Board Resolution") (i) requesting, pursuant to Section 15.2-2640 of the Code of Virginia, 1950, as amended, the Board of Supervisors to authorize the issuance of the County's General Obligation School Bonds (the "Bonds"), and the sale of the Bonds to the Virginia Public School Authority (the "Authority"), in an aggregate principal amount not to exceed \$55,000,000, for the purpose of paying the costs of capital improvement projects (collectively, the "Project") for Henrico County Public Schools ("HCPS"); (ii) requesting the County to submit an application to the Authority in connection with the issuance and sale of the Bonds to the Authority; (iii) consenting, for purposes of Section 15.2-2638.B(iii) of the Code of Virginia, 1950, as amended, and Article VII, Section 10(b) of the Constitution of Virginia, 1971 (the "Constitution"), to the issuance and sale of the Bonds to the Authority; and (iv) requesting the Board of Supervisors to declare the official intent of the County under Treasury Regulation Section 1.150-2 to reimburse itself from the proceeds of the Bonds for expenditures made with respect to the Project prior to the issuance of the Bonds.

(b) Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, as amended (the "Public Finance Act"), and the Constitution, the County is authorized to contract debts for the Project for HCPS, borrow money for the Project, and issue its bonds to pay all or any part of the costs of the Project.

(c) In accordance with provisions of the School Board Resolution, the Board of Supervisors has determined that it is necessary and expedient for the County to contract a debt and to authorize the issuance and sale of the Bonds to be designated and known as "County of Henrico, Virginia, General Obligation School Bonds", in an aggregate principal amount not to exceed \$55,000,000, to pay all or any part of the costs of the Project.

(d) In accordance with the provisions of Section 2606(A) of the Public Finance Act, the Board of Supervisors has held a public hearing, duly noticed, before the adoption of this resolution authorizing the issuance of the Bonds.

SECTION 2. Authorization of Issuance of Bonds. (a) Pursuant to the provisions of the Public Finance Act and the Constitution, and upon the terms, conditions and

provisions set forth in this resolution, the Board of Supervisors hereby authorizes the County to contract a debt and to issue the Bonds, in one or more series, for the purpose of paying the costs of the Project. Each series of the Bonds shall have such series designation or designations as shall be determined by the County Manager or the Director of Finance.

(b) Each series of the Bonds shall be issuable in fully-registered form; shall be dated such date as shall be designated by the Authority and approved by the County Manager or the Director of Finance; shall bear interest from the dated date thereof, such interest to be payable on such interest payment dates as shall be determined by the Authority and accepted by the County Manager or Director of Finance (each an "Interest Payment Date"), subject to the provisions of Section 4 of this resolution and at the rates established in accordance with Section 4 of this resolution; and shall mature on such date in each of the years (not exceeding thirty (30) years from the date of issuance of the Bonds of such series) (each a "Principal Payment Date") and in the amounts in each such year (the "Principal Installments") as shall be determined by the Authority and accepted by the County Manager or the Director of Finance, without further action by the Board of Supervisors, subject to the provisions of Section 4 of this resolution.

SECTION 3. Sale of Bonds; Official Statement. There is hereby delegated to the County Manager or the Director of Finance, the authority, without further action by the Board of Supervisors, to sell the Bonds of each series to the Authority in an aggregate principal amount not to exceed \$55,000,000, at such price determined by the Authority and accepted by the County Manager or the Director of Finance, that will produce aggregate Bond proceeds of not less than \$54,550,000 to finance the Project; *provided* that the true interest cost to the County with respect to any such series of the Bonds shall not exceed five percent (5.00%). The County Manager or the Director of Finance are hereby authorized to enter into a Bond Sale Agreement with the Authority to provide for the sale of the Bonds to the Authority in such form as shall be approved by the County Manager or the Director of Finance upon the advice of counsel (including the County Attorney or Bond Counsel to the County), such approval to be conclusively evidenced by the execution and delivery of such Bond Sale Agreement by the County Manager or the Director of Finance. The Authority will purchase the Bonds of each series from the proceeds of the Authority's special obligation school financing bonds (the "Authority Bonds"). The County Manager and the Director of Finance is each hereby authorized to assist the Authority with the preparation of, and to provide such information with respect to the County and the Project as the Authority shall request for inclusion in, a Preliminary Official Statement and a final Official Statement relating to the Authority's Bonds.

SECTION 4. Interest Rates and Principal Installments. There is hereby delegated to the County Manager or the Director of Finance, the authority, without further action of the Board of Supervisors, to accept the interest rates on each series of the Bonds established by the Authority and acceptable to the County Manager or the Director of Finance; *provided* that the true interest cost with respect to the Bonds of any such series shall not exceed five percent (5.00%). The execution and delivery of the Bonds of any series as described in Section 8 hereof shall conclusively evidence the acceptance of the Authority's terms, including the interest rates established by the Authority and the Interest Payment Dates and the Principal Installments requested by the Authority as having been so accepted as authorized by this resolution.

SECTION 5. Form of the Bonds. For as long as the Authority is the registered owner of the Bonds or a series of the Bonds, the Bonds of such series shall be in the form of a single, typewritten bond substantially in the form attached hereto as Exhibit A with such changes as shall be approved by the County Manager or the Director of Finance.

SECTION 6. Payment; Paying Agent and Bond Registrar. The following provisions shall apply to each series of the Bonds:

(a) For as long as the Authority is the registered owner of the Bonds or a series of the Bonds, all payments of principal of and interest on the Bonds of such series shall be made in immediately available funds to the Authority at or before 11:00 A.M. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 A.M. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds or any series of the Bonds as set forth therein.

(c) There is hereby delegated to the County Manager or the Director of Finance the authority to designate a qualified bank or trust company to serve as Bond Registrar and Paying Agent for each series of the Bonds.

SECTION 7. Redemption or Prepayment. The Principal Installments of each series of the Bonds shall be subject to redemption or prepayment upon such terms and conditions as shall be determined by the Authority and accepted by the County Manager or the Director of Finance, without further action by the Board of Supervisors; *provided* that in no event shall the premium payable upon the redemption or prepayment of any Bond or any series of the Bonds be in excess of two percent (2%) of the principal amount of such Bond. The Board of Supervisors covenants, on behalf of the County, not to refund or refinance any series of the Bonds without first obtaining the written consent of the Authority or the registered owner of the Bonds of such series. Notice of redemption of the Bonds of each series shall be given by the Bond Registrar on behalf of the County to the registered owner of the Bonds of such series by certified mail not more than 90 days and not less than 60 days prior to the date fixed for redemption.

SECTION 8. Execution and Delivery of Bonds. Each series of the Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairman or Vice-Chairman and the Clerk of the Board of Supervisors, and the seal of the County shall be impressed, or a facsimile thereof printed, on the Bonds.

SECTION 9. Pledge of Full Faith and Credit. For the prompt payment of the principal of and premium, if any, and interest on the Bonds of each series as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged. In each year while any of the Bonds shall be outstanding, the Board of Supervisors is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other



taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on the Bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

SECTION 10. Use of Proceeds Certificate and Certificate as to Arbitrage. The County Manager or the Director of Finance are hereby authorized and directed to execute a Use of Proceeds Certificate and Tax Compliance Agreement setting forth the expected use and investment of the proceeds of each series of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "1986 Code") and applicable regulations promulgated thereunder relating to the exclusion from gross income of interest on each series of the Bonds and on each series of the Authority's Bonds. The Board of Supervisors covenants on behalf of the County that (i) the proceeds from the issuance and sale of each series of the Bonds will be invested and expended as set forth in such Use of Proceeds Certificate and Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein, and (ii) the County shall comply with the provisions of the 1986 Code so that interest on each series of the Bonds and on each series of the Authority's Bonds will remain excludable from gross income for federal income tax purposes.

SECTION 11. State Non-Arbitrage Program. The Board of Supervisors hereby determines that it is in the best interests of the County to authorize and direct the County's Director of Finance to participate in the State Non-Arbitrage Program in connection with each series of the Bonds. The County Manager or the Director of Finance and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver such documents as are necessary to permit the County to establish an account with the State Non-Arbitrage Program in respect of the Bonds of each series.

SECTION 12. Continuing Disclosure Agreement. The County Manager or the Director of Finance are hereby authorized and directed to execute a Continuing Disclosure Agreement or a Continuing Disclosure Certificate relating to each series of the Bonds, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, such Continuing Disclosure Certificate or Continuing Disclosure Agreement to be in such form as shall be approved by the County Manager or the Director of Finance upon the advice of counsel (including the County Attorney or Bond Counsel to the County), such approval to be conclusively evidenced by the execution and delivery of such Continuing Disclosure Certificate or Continuing Disclosure Agreement by the County Manager or the Director of Finance.

SECTION 13. Declaration of Official Intent under Treasury Regulations. The Board of Supervisors hereby authorizes the County to make expenditures with respect to the Project in advance of the issuance and receipt of the proceeds of sale of the Bonds of each series and to reimburse such expenditures from the proceeds of the sale of such Bonds. The adoption of this resolution shall be considered as an "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Code.

SECTION 14. Invalidity of Sections, Paragraphs, Clauses or Provisions. If any section, paragraph, clause or provision of this resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining portions of this resolution.

SECTION 15. Headings of Sections. The headings of the sections of this resolution shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of such sections or of this resolution.

SECTION 16. Further Actions. The members of the Board of Supervisors and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of each series of the Bonds and any such action previously taken is hereby ratified and confirmed. Any one of the County Manager or the Director of Finance is hereby authorized to execute and deliver any certificates, documents, instruments and agreements, with the advice of the County Attorney and the County's Bond Counsel, as shall be necessary in connection with the issuance and sale of the Bonds of each series to the Authority.

SECTION 17. Filing of Resolution. The County Attorney is hereby authorized and directed to cause a copy of this resolution, certified by the Clerk of the Board of Supervisors to be a true and correct copy hereof, to be filed with the Circuit Court of the County.

SECTION 18. Effective Date. This resolution shall take effect immediately upon its adoption.

EXHIBIT A

(FORM OF BOND)

NO. R-1

\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO, VIRGINIA,  
GENERAL OBLIGATION SCHOOL BOND,  
SERIES \_\_\_\_\_

THE COUNTY OF HENRICO, VIRGINIA (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the VIRGINIA PUBLIC SCHOOL AUTHORITY the principal amount of \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_), in annual installments in the amounts set forth on **Schedule I** attached hereto payable on \_\_\_\_\_, \_\_\_\_\_ and annually on each \_\_\_\_\_ thereafter to and including \_\_\_\_\_, \_\_\_\_\_ (each a "Principal Payment Date"), together with interest from the date of this Bond on the unpaid installments, payable on \_\_\_\_\_, \_\_\_\_\_ and semiannually on each \_\_\_\_\_ and \_\_\_\_\_ thereafter (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on **Schedule I** attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, as bond registrar (the "Bond Registrar"), shall make all payments of principal of and interest on this Bond, without the presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 A.M. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal of or premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 A.M. on the business day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of such payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors of the County authorizing the issuance of the Bonds provides, and Section 15.2-2624 of the Code of Virginia of 1950, as amended, requires, in each year while any of the Bonds shall be outstanding the Board of Supervisors of the County shall be authorized and required

to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on this Bond, to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and statutes of the Commonwealth of Virginia, including Title 15.2, Chapter 26 of the Code of Virginia of 1950, as amended (the same being the Public Finance Act of 1991), and resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County for the purpose of financing capital school improvement projects of and for the County.

This Bond may be exchanged without cost, on twenty (20) days' written notice from the Virginia Public School Authority, at the office of the Bond Registrar on one or more occasions for temporary bonds or definitive bonds in fully registered form in denominations of \$5,000 and whole multiples thereof, and, in any case, having an equal aggregate principal amount, having maturities, and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

[The principal installments of this Bond coming due on or before \_\_\_\_\_, \_\_\_\_\_, and the definitive Bonds for which this Bond may be exchanged that mature on or before \_\_\_\_\_, \_\_\_\_\_, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due after \_\_\_\_\_, \_\_\_\_\_, and the definitive Bonds for which this Bond may be exchanged that mature after \_\_\_\_\_, \_\_\_\_\_, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after \_\_\_\_\_, \_\_\_\_\_, upon payment of the prepayment or redemption prices equal to the principal installments to be prepaid or the principal amount of the Bonds to be redeemed, plus accrued interest to the date set for prepayment or redemption.

*Provided, however,* that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by certified mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.]

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist, and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt

and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the County, by its Board of Supervisors, has caused this Bond to be executed by the manual signature of the Chairman or Vice Chairman of such Board, a facsimile of the seal of the County to be imprinted hereon and attested by the manual signature of the Clerk of such Board, and this Bond to be dated \_\_\_\_\_, \_\_\_\_.

COUNTY OF HENRICO, VIRGINIA

[SEAL]

\_\_\_\_\_  
Chairman of the Board of Supervisors  
County of Henrico, Virginia

Attest:

\_\_\_\_\_  
Clerk of the Board of Supervisors  
County of Henrico, Virginia

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

---

---

---

(Please print or typewrite name and address, including zip code, of Assignee)

PLEASE INSERT SOCIAL SECURITY  
OR OTHER TAX IDENTIFYING NUMBER OF ASSIGNEE:

the within Bond and irrevocably constitutes and appoints \_\_\_\_\_  
attorney to exchange such Bond for definitive bonds in lieu of which this Bond is issued and to  
register the transfer of such definitive bonds on the books kept for registration thereof, with full  
power of substitution in the premises.

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

Signature Guaranteed:

---

(NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Bond Registrar which requirements will include Membership or participation in STAMP or such other "signature guarantee program" as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.)

Registered Owner:

---

(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.)



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 281-21

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Conveyance of Real Property — 1015 Pennsylvania Avenue — Fairfield District

For Clerk's Use Only:

Date: 9/14/2021

- Approved
- Denied
- Amended
- Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Thornton Seconded by (1) O'Bannon  
(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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the County owns real property located at 1015 Pennsylvania Avenue (the "Property"); and,

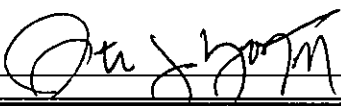

WHEREAS, at an advertised public hearing on June 8, 2021, the Board of Supervisors declared the Property surplus, granted authority to advertise the Property for bids, and authorized the County Manager to enter into a contract with the highest responsive bidder; and,

WHEREAS, the highest bid was from Roy E. Campbell, Jr., and Mr. Campbell has entered into a contract to purchase the Property for \$3,500; and,

WHEREAS, this resolution was advertised, and a public hearing was held on September 14, 2021, pursuant to Va. Code §§ 15.2-1800 and 15.2-1813.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that: (1) the Chairman and Clerk are authorized to execute a deed of conveyance, and (2) the County Manager or his designee is authorized to execute closing and any other documents necessary to convey the Property to Roy E. Campbell, Jr. and Melinda M. Campbell, all in a form approved by the County Attorney.

Comments: The Deputy County Manager for Community Operations recommends approval of the Board paper; the County Manager concurs.

By Agency Head  By County Manager 

Certified:  
A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors

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

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 282-21

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Conveyance of Real Property — 2424 Homeview Drive — Three Chopt District

Board of Supervisors Action table with columns for Clerk's Use, Action, and Supervisor Votes. Includes the word 'APPROVED' in large letters.

WHEREAS, the County owns a former well lot at 2424 Homeview Drive in the Mimosa Park subdivision as shown on Exhibit A (the "Property"); and,

WHEREAS, Ferramosca Properties, L.L.C., the owner of the adjacent lot at 2422 Homeview Drive, wishes to buy the Property; and,

WHEREAS, the Property is surplus to the needs of the County; and,

WHEREAS, the Board of Supervisors is willing to convey the Property for \$1,000, its assessed value; and;

WHEREAS, this resolution was advertised, and a public hearing was held on September 14, 2021, pursuant to Va. Code §§ 15.2-1800 and 15.2-1813.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that: (1) the Property is declared surplus to the needs of the County; and (2) the Chairman and Clerk are authorized to execute a deed, and the County Manager is authorized to execute closing and any other documents necessary to convey the Property, all in a form approved by the County Attorney.

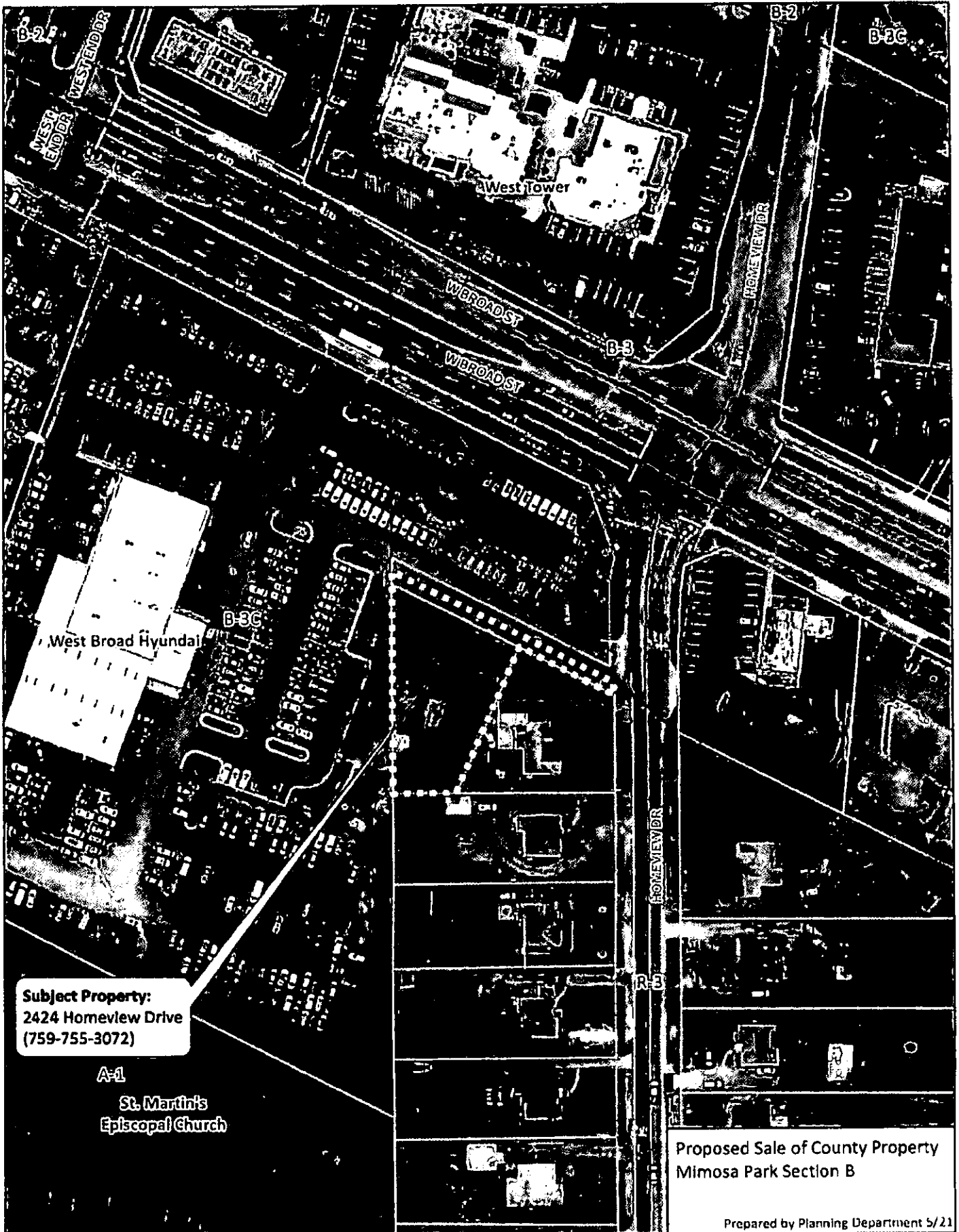
Comments: The Real Property Department has processed the conveyance through the Departments of Planning, Public Works, and Public Utilities without objection, and the Deputy County Manager for Community Operations and the Director of Public Works recommend approval of the Board paper.

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

Copy to: Clerk, Board of Supervisors Date:



EXHIBIT A



**Subject Property:**  
2424 Homeview Drive  
(759-755-3072)

A-1  
St. Martin's  
Episcopal Church

Proposed Sale of County Property  
Mimosa Park Section B



EXHIBIT A

5/1/2023  
R-603 P

DATE	05/06/21	PROJECT	VA 250	SHEET NO.	0250-043-94, RW, 201, 4-500	TOTAL SHEETS	7
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DESIGN FEATURES RELATING TO CONSTRUCTION AND IMPROVEMENTS TO EXISTING UTILITIES MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

100% Landmark and Design Information Available

100% Landmark and Design Information Available

**RIGHT OF WAY PLANS**  
THESE PLANS ARE UNFINISHED AND UNAPPROVED AND ARE NOT TO BE USED FOR ANY TYPE OF CONSTRUCTION.

ALAN PROPERTIES LLC  
DB 5000 PG 909  
PG 1004 PG 276  
PARCEL ID# 150740-2427

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

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PG 8736 PG 8737  
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DB 2531 PG 8735  
PG 8736 PG 8737  
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W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

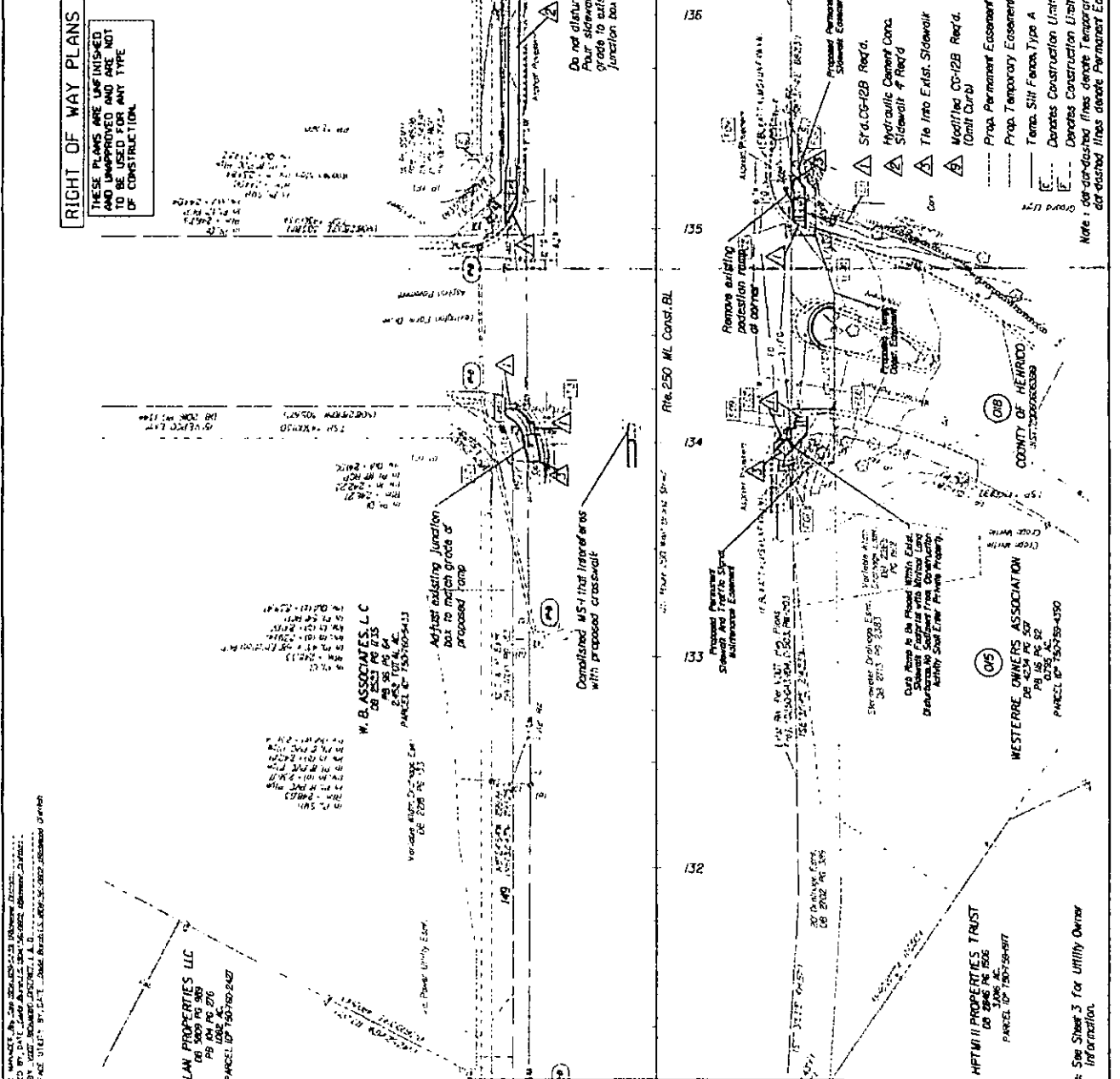
W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

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PG 8736 PG 8737  
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DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413

W. B. ASSOCIATES, L.C.  
DB 2531 PG 8735  
PG 8736 PG 8737  
PARCEL ID# 150740-2413



MATCHLINE STA.131+00 SEE SHEET 6

MATCHLINE STA.138+25 SEE SHEET 8

REFERENCES	PROJECT
1. PROJECTS ACTUALS & CHANGE DESCRIPTION SHEET'S, ETC.	0250-043-94
2. COST ALIAS DATA	IF(2)
3. TIE SLOWLAW	IF(4)
4. TIE SLOWLAW	IF(4)
5. TIE SLOWLAW	IF(7)
6. Sidewalk Profile	1451-1410
7. Right-of-Way Stud	TRW
8. Drainage Descor.	15



SCALE 1" = 20'

- 01 WESTERRE RICHMOND, LP  
PARCEL ID# 150740-2421
- 02 Mill and Overlay
- 03 Demol. of Pavement
- 04 Hydraulic Canal
- 05 Conc. Sidewalk

- △ SF 6.09-12B Reg'd.
- △ Hydraulic Channel Conc. Sidewalk & Ramp
- △ Tie into Exist. Sidewalk (Limit Curb)
- △ Modified CC-12B Reg'd. (Limit Curb)
- Prop. Permanent Easement
- Prop. Temporary Easement
- Temp. Silt Fence Type A
- Denotes Construction Limits In Cuts
- Denotes Construction Limits In Fills
- Note: dash-dot-dashed lines denote Temporary
- Note: dash-dot lines denote Permanent Easements

Note: See Sheet 3 for Utility Owner Information



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

Agenda Item No. 284-21

Page No. 1 of 2

**Agenda Title: ORDINANCE — Vacation of Building Line — River Road Farms Subdivision — Tuckahoe District**

For Clerk's Use Only: Date: <u>9/14/2021</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Branin</u> (2) _____ (2) _____ REMARKS: <b>APPROVED</b>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>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, Matthew Carter Lee, the owner of Lot 6 in Block C, Section 2 of the River Road Farms subdivision, has asked the County to vacate the 36' side building line across his property; and,

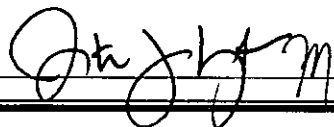
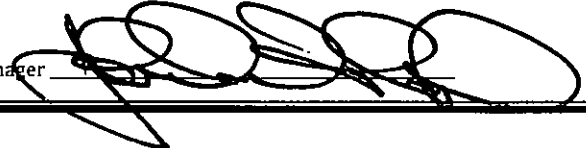
WHEREAS, the plat is recorded in the Clerk's Office of the Circuit Court of Henrico County (the "Clerk's Office") in Plat Book 62, Page 50; and,

WHEREAS, this Ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on September 14, 2021; and,

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

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

- 1) the side building line on Lot 6, Block C, Section 2 of the River Road Farms subdivision, which is labeled "Building Line" on Exhibit A, is vacated in accordance with Va. Code § 15.2-2272(2);
- 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: \_\_\_\_\_ Clerk, Board of Supervisors  
 Date: \_\_\_\_\_

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

Agenda Item No. 284-21

Page No. 2 of 2

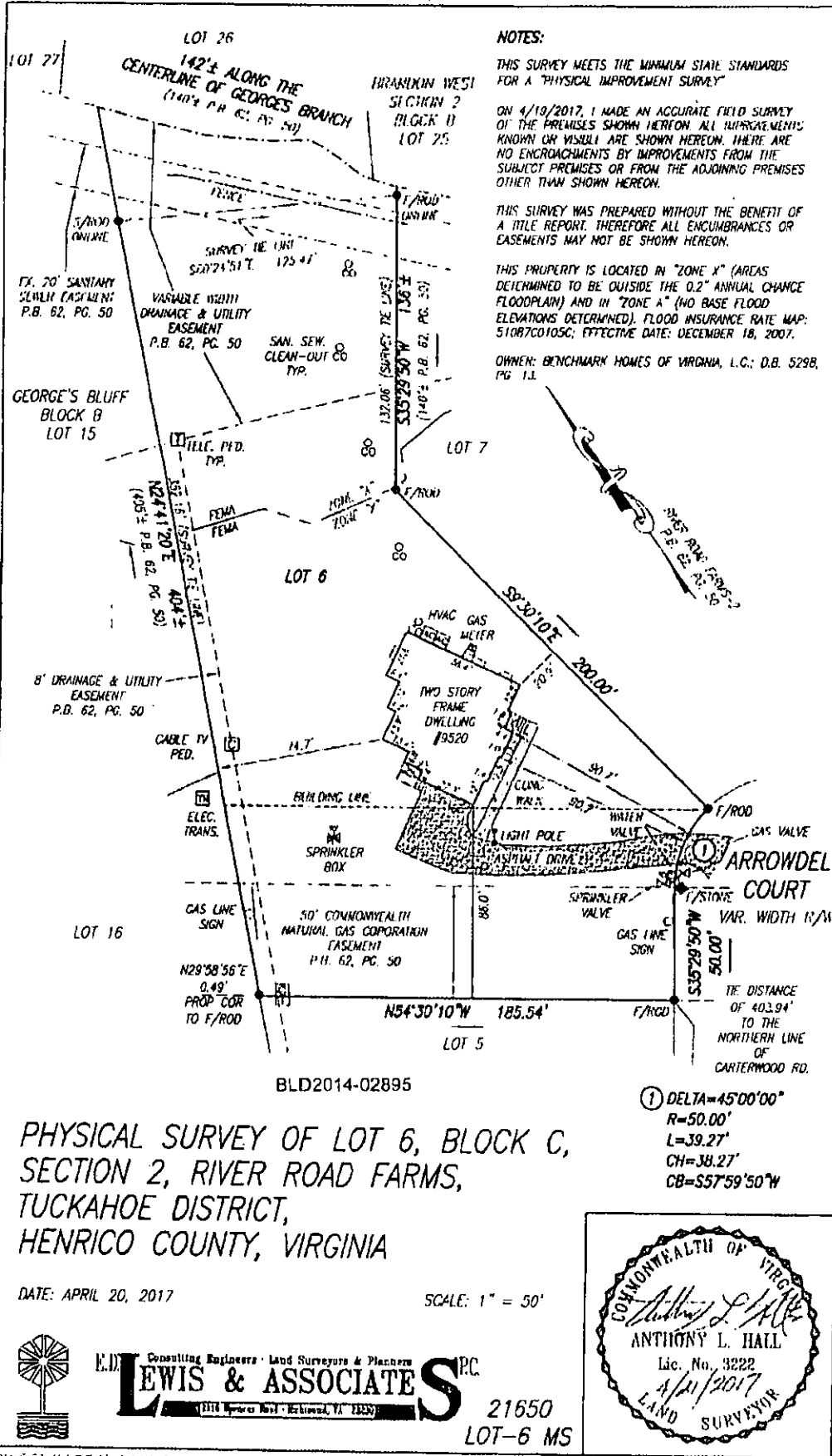
**Agenda Title: ORDINANCE — Vacation of Building Line — River Road Farms Subdivision — Tuckahoe District**

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- 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 Matthew Carter Lee; 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. The Deputy County Manager for Community Operations recommends approval of the Board paper; the County Manager concurs.

# Exhibit A



**NOTES:**  
 THIS SURVEY MEETS THE MINIMUM STATE STANDARDS FOR A "PHYSICAL IMPROVEMENT SURVEY"  
 ON 4/19/2017, I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON. ALL IMPROVEMENTS KNOWN OR VISIBLY ARE SHOWN HEREON. THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS FROM THE SUBJECT PREMISES OR FROM THE ADJOINING PREMISES OTHER THAN SHOWN HEREON.  
 THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE ALL ENCUMBRANCES OR EASEMENTS MAY NOT BE SHOWN HEREON.  
 THIS PROPERTY IS LOCATED IN "ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2" ANNUAL CHANCE FLOODPLAIN) AND IN "ZONE A" (NO BASE FLOOD ELEVATIONS DETERMINED). FLOOD INSURANCE RATE MAP: 51087C0105C; EFFECTIVE DATE: DECEMBER 18, 2007.  
 OWNER: BENCHMARK HOMES OF VIRGINIA, L.C.; D.B. 5298, PG. 1.1

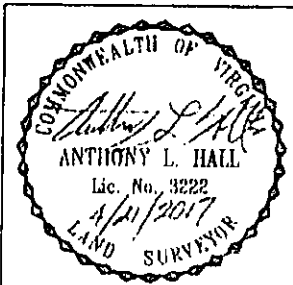
PHYSICAL SURVEY OF LOT 6, BLOCK C, SECTION 2, RIVER ROAD FARMS, TUCKAHOE DISTRICT, HENRICO COUNTY, VIRGINIA

DATE: APRIL 20, 2017

SCALE: 1" = 50'



Consulting Engineers · Land Surveyors & Planners  
**LEWIS & ASSOCIATES** PC  
 21650  
 LOT-6 MS





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

Agenda Item No. 285-21  
Page No. 1 of 2

**Agenda Title: RESOLUTION — Abandonment of Unused Right-of-Way — Proposed Green City Development — Fairfield District**

<p>For Clerk's Use Only:</p> <p>Date: <u>9/14/2021</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p>	<p align="center"><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>Shontel</u> Seconded by (1) <u>O'Bannon</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<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"/>
	YES	NO	OTHER																							
Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, the Economic Development Authority of Henrico County ("EDA") has entered into a purchase and sale agreement for the sale of its property at the northeast corner of Parham Road and Interstate 95 to Green City Partners, LLC; and,

WHEREAS, the EDA's property contains a variable width strip of right-of-way that has never been used for public passage; and,

WHEREAS, the segment to be abandoned is shown on the plat attached as Exhibit A; and,

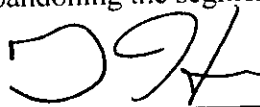

WHEREAS, §33.2-915 of the Code of Virginia allows the Board of Supervisors to abandon a section of road dedicated for public use that the Board deems no longer necessary for public use; and,

WHEREAS, the Board held a public hearing to consider the abandonment of the segment on September 14, 2021; and,

WHEREAS, the Board of Supervisors has given due consideration to the historic value of the road segment.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board of Supervisors is satisfied that no public necessity exists for the continuance of the segment for public street purposes and that the welfare of the public would be best served by abandoning the segment of unused right-of-way.

By Agency Head  By County Manager 

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

Certified: \_\_\_\_\_  
A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors

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

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

Agenda Item No. 285-21  
Page No. 2 of 2

**Agenda Title: RESOLUTION — Abandonment of Unused Right-of-Way — Proposed  
Green City Development — Fairfield District**

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- (2) The Board of Supervisors certifies that the segment is no longer necessary for the public use.
- (3) The segment of unused right-of-way on Exhibit A is hereby abandoned for public street purposes.
- (4) The Clerk of the Circuit Court of the County of Henrico, Virginia is authorized to record a certified copy of this resolution in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia.
- (5) The Clerk is further authorized and directed to index the same on the Grantor side of the general index of deeds in the name of the County of Henrico, Virginia, or its successors or assigns.

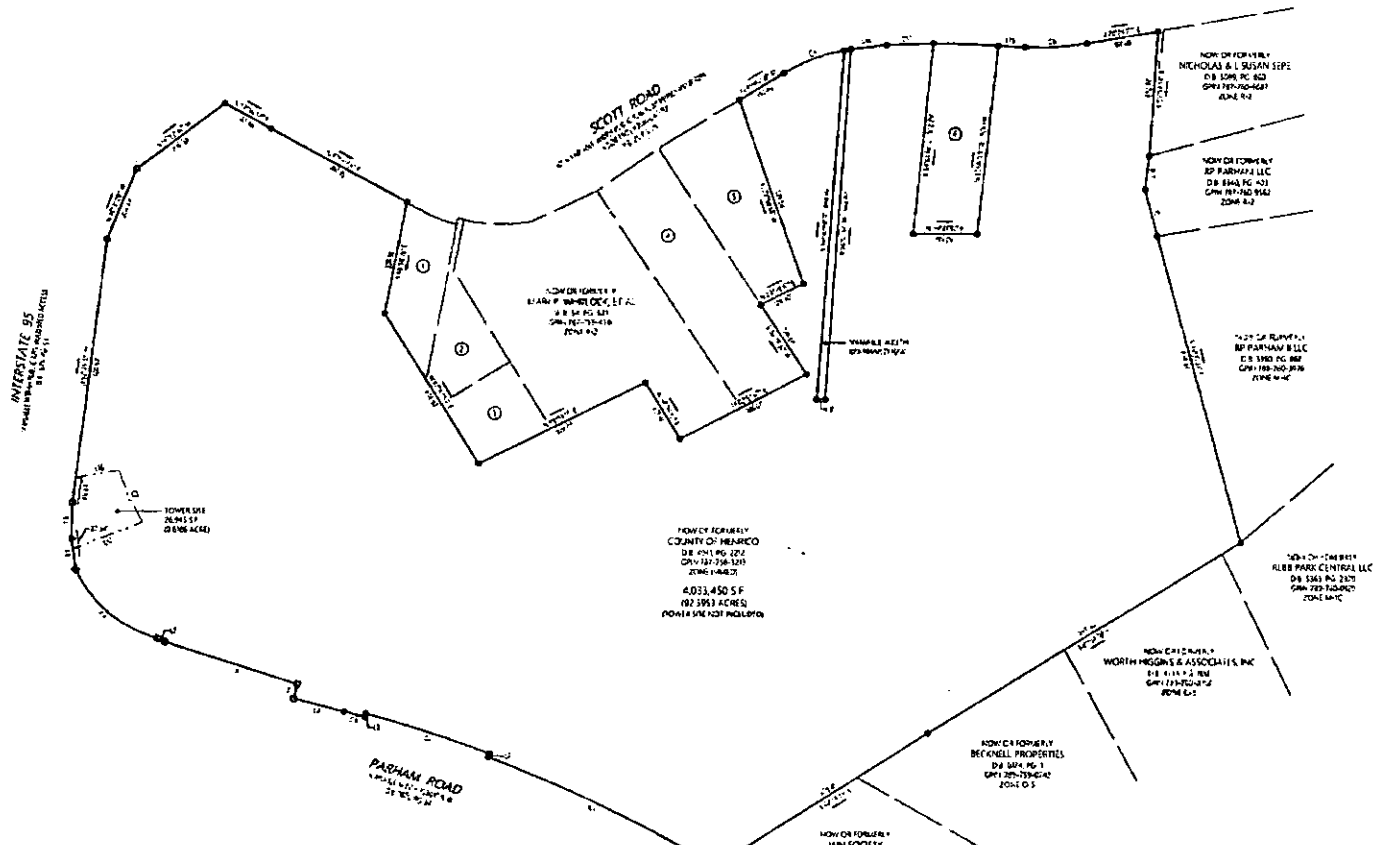
Comment: The Executive Director of the EDA recommends approval of the Board paper; the County Manager concurs.



**General Notes**

1. THIS PLAN WAS DERIVED FROM INFORMATION OF RECORD PLATS AND RECORDS NOW ON FILE WITH A CURRENT BOUNDARY SURVEY BY VHB.
2. INFORMATION USED TO CREATE THIS PLAN WAS TAKEN FROM THE FOLLOWING SOURCES:  
 a. AUTOMATIC LAND TITLE SURVEY OF THE PROPERTY PREPARED BY AEC CONSULTING ENGINEER DATED DECEMBER 20, 2019.  
 b. EVIDENCE OF TOWER VHS PREPARED BY POINT TO POINT LAND SURVEYS DATED APRIL 20, 2017.

1. NOW OR FORMERLY SHIP, ET AL. WEST  
 S.B. 204, PG. 195  
 CIVIL 787-74-0556  
 ZONE R-2
2. NOW OR FORMERLY RAYMOND LIPSCOMBE, JR. & SHIRLEY M. LIPSCOMBE  
 DA 471, PG. 107  
 CIVIL 787-74-2564  
 ZONE R-2
3. NOW OR FORMERLY RAYMOND LIPSCOMBE, JR. & SHIRLEY M. LIPSCOMBE  
 DA 478, PG. 227  
 CIVIL 787-74-4968  
 ZONE R-2
4. NOW OR FORMERLY WALTER F. FLOUNOY & JEANETTE F. WILEY  
 D.B. 298, PG. 101  
 CIVIL 787-73-2531  
 ZONE R-2
5. NOW OR FORMERLY WALTER F. FLOUNOY & JEANETTE F. WILEY  
 D.B. 298, PG. 145  
 CIVIL 787-73-3111  
 ZONE R-2
6. NOW OR FORMERLY LAUSCARE W. HENSON & MARIE W. JACKSON  
 S.B. 206, PG. 18  
 CIVIL 787-74-4411  
 ZONE R-2



NOW OR FORMERLY  
 COUNTY OF HENRICO  
 COUNTY OF HENRICO  
 DA 401, PG. 127  
 CIVIL 787-73-1201  
 ZONE R-2  
 4,033,450 S.F.  
 92.3953 ACRES  
 POINT TO POINT SURVEY

NOW OR FORMERLY  
 KLEB PARK CENTRAL, LLC  
 D.B. 324, PG. 137  
 CIVIL 787-74-0407  
 ZONE R-2

NOW OR FORMERLY  
 BECNELL PROPERTIES  
 D.B. 304, PG. 1  
 CIVIL 787-74-0104  
 ZONE O-S

NOW OR FORMERLY  
 JAIN SOCIETY  
 OF CENTRAL VIRGINIA  
 D.B. 343, PG. 204  
 CIVIL 787-74-0101  
 ZONE O-S

MARKER	ACROSS	ADJACENT	BEARING	DISTANCE	MARKER
1	103.71	103.71	S 89° 57' 00" W	113.17	103.71
2	103.71	103.71	S 89° 57' 00" W	113.17	103.71
3	103.71	103.71	S 89° 57' 00" W	113.17	103.71
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MARKER	ACROSS	ADJACENT	BEARING	DISTANCE	MARKER
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MARKER	ACROSS	ADJACENT	BEARING	DISTANCE	MARKER
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7	103.71	103.71	S 89° 57' 00" W	113.17	103.71

**Composite Plat**  
**Henrico County Property**  
**Parcel 787-758-3213**

Henrico County, Virginia

DATE	BY

June 4, 2021

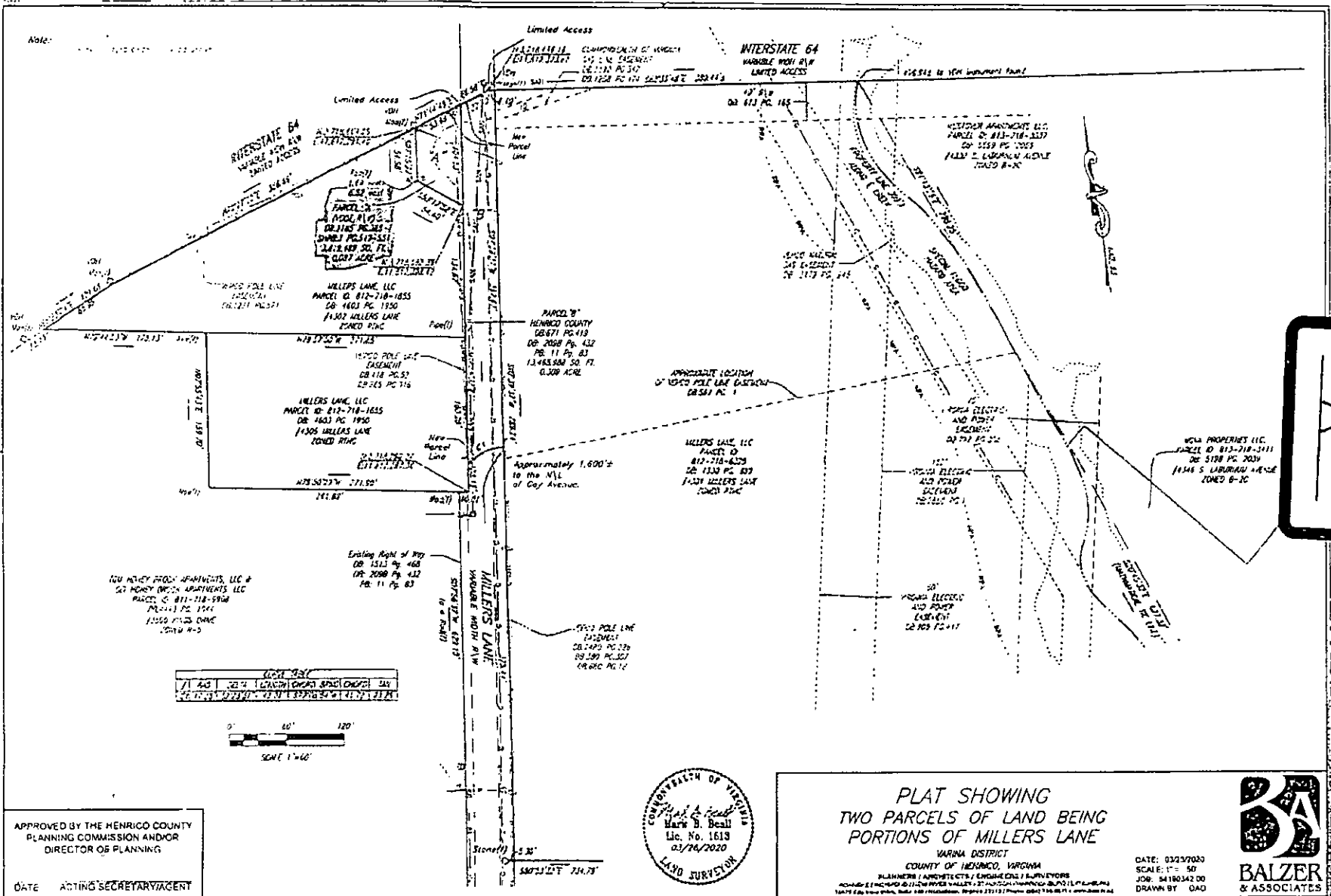
**Henrico County Property**  
**Parcel 787-758-3213**

**Sv-1**

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34700 01





tabbles<sup>®</sup>

EXHIBIT

APPROVED BY THE HENRICO COUNTY PLANNING COMMISSION AND/OR DIRECTOR OF PLANNING

DATE \_\_\_\_\_ ACTING SECRETARY/AGENT



**PLAT SHOWING TWO PARCELS OF LAND BEING PORTIONS OF MILLERS LANE**

VIRGINIA DISTRICT  
 COUNTY OF HENRICO, VIRGINIA  
 PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS  
 14015 E. HUNTERS VALLEY, 3<sup>RD</sup> FLOOR, HUNTERS VALLEY, VA 23062-4624  
 (804) 541-8800 FAX (804) 541-8801 www.balzer.com

DATE: 02/25/2020  
 SCALE: 1" = 50'  
 JOB: 24180342.00  
 DRAWN BY: DAO



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

Agenda Item No. 287-21

Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE — To Add Article VIII Titled “Residential Rental Inspection Program” to Chapter 6 of the Code of the County of Henrico to Create a Program to Inspect Residential Rental Dwelling Units for Building Code Violations and to Establish a Rental Inspection District for Glenwood Farms**

<p>For Clerk's Use Only:</p> <p>Date: <u>9/14/2021</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p>	<p><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table border="0"> <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.	✓		
	YES	NO	OTHER																							
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O'Bannon, P.	✓																									
Schmitt, D.	✓																									
Thornton, F.	✓																									

The Clerk is directed to advertise, in the Richmond Times-Dispatch on September 28 and October 5, 2021, the following ordinance for a public hearing to be held at the Board Room on October 12, 2021, at 7:00 p.m.:

"AN ORDINANCE to add article VIII titled "Residential rental inspection program" to chapter 6 of the Code of the County of Henrico to create a program to inspect residential rental dwelling units for building code violations and to establish a rental inspection district for Glenwood Farms. A copy of the full text of the proposed ordinance is available for examination in the Office of the County Manager in the Administration Building at Parham and Hungary Spring Roads between 8:00 a.m. and 4:30 p.m. each business day, and online at <https://henrico.us/services/citizen-participation-registration/>."

Comments: The Building Official recommends approval of the Board paper, and the County Manager concurs.

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

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

Certified: \_\_\_\_\_  
A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors

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

**BLACKLINE**

**ORDINANCE — To Add Article VIII Titled “Residential Rental Inspection Program” to Chapter 6 of the Code of the County of Henrico to Create a Program to Inspect Residential Rental Dwelling Units for Building Code Violations and to Establish a Rental Inspection District for Glenwood Farms**

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

1. That Article VIII be added to Chapter 6 the Code of the County of Henrico as follows:

**ARTICLE VIII. RESIDENTIAL RENTAL INSPECTION PROGRAM**

**Sec. 6-175. Purpose.**

**The purpose of this article is to promote safe, decent, and sanitary housing in Henrico County.**

**Sec. 6-176. Definitions.**

**For purposes of this article:**

**“Dwelling unit” means a building or structure or part thereof that is used for a home or residence by one or more persons who maintain a household.**

**“Owner” means the person shown in the current real estate assessment records.**

**“Residential rental dwelling unit” means a dwelling unit that is leased or rented to one or more tenants. A dwelling unit occupied in part by the owner thereof will not be construed to be a residential rental dwelling unit unless a tenant occupies a part of the dwelling unit which has its own cooking and sleeping areas and a bathroom.**

**Sec. 6-176. Compliance with other laws.**

**Inspections must comply with all state and federal laws, including constitutional requirements governing searches.**

**The provisions of this article do not (i) alter the rights and obligations of landlords and tenants under the provisions of chapter 12 (§ 55.1-1200, et seq.) or chapter 14 (§ 55.1-1400 et seq.) of title 55.1 of the Code of Virginia, as**

amended, or (ii) alter the duties and responsibilities of the building official under Code of Virginia sec. 36-105 and this chapter to enforce the building code.

Sec. 6-177. Designation of rental inspection district.

The board of supervisors finds that (i) there is a need to protect the public health, safety, and welfare of the occupants of dwelling units inside the rental inspection district designated in this section; (ii) the residential rental dwelling units within the designated rental inspection district are either (a) blighted or in the process of deteriorating, or (b) the residential rental dwelling units are in need of inspection by the building official to prevent deterioration, taking into account the number, age, and condition of residential dwelling rental units inside the designated rental inspection district; and (iii) the inspection of residential rental dwelling units inside the designated rental inspection district is necessary to maintain safe, decent, and sanitary living conditions for tenants and other residents living in the rental inspection district. Therefore, the board designates the following rental inspection district, pursuant to Code of Virginia, § 36-105.1:1, as amended:

*Glenwood Farms Rental Inspection District.* The boundaries of the Glenwood Farms Rental Inspection District are shown on the map attached to this ordinance and incorporated by reference. A copy of the map is maintained in the office of the building official.

Sec. 6-178. Inspections authorized.

The board authorizes the building official to inspect residential rental dwelling units within the designated rental inspection district pursuant to the procedures set forth in this section and in conformance with the requirements of sec. 6-176.

1. *Notification upon establishment of district.* Upon the adoption of this ordinance establishing a rental inspection district, the building official will make reasonable efforts to notify owners of residential rental dwelling units within the designated rental inspection district, or their designated managing agents, of the adoption of the ordinance and provide information and an explanation of the rental inspection ordinance and the responsibilities of the owner thereunder.
2. *Initial inspection of dwelling units.* Upon the establishment of the rental inspection district, the building official may, in conjunction with the written notifications provided for in Code of Virginia § 36-105.1:1(C), proceed to inspect dwelling units in the designated rental inspection district to determine if the dwelling units are being used

as residential rental property and for compliance with the provisions of the building code that affect the safe, decent, and sanitary living conditions for the tenants of such property.

3. *Initial and periodic inspections of multifamily dwelling units.* If a multifamily development has more than 10 dwelling units, in the initial and periodic inspections, the building official may inspect only a sampling of dwelling units, of not less than two and not more than 10 percent of the dwelling units, of the multifamily development, which includes all of the multifamily buildings which are part of that multifamily development. If the building official determines upon inspection of the sampling of dwelling units that there are violations of the building code that affect the safe, decent, and sanitary living conditions for the tenants of such multifamily development, the building official may inspect as many dwelling units as necessary to enforce the building code.
4. *Follow-up inspections.* Upon the initial or periodic inspection of a residential rental dwelling unit subject to this article, the building official has the authority under the building code to require the owner of the dwelling unit to submit to such follow-up inspections of the dwelling unit as the building official deems necessary, until such time as the dwelling unit is brought into compliance with the provisions of the building code that affect the safe, decent, and sanitary living conditions for the tenants.
5. *Periodic inspections.* Except as provided in subdivision 4 above, following the initial inspection of a residential rental dwelling unit subject to this article, the building official may inspect any residential rental dwelling unit in a rental inspection district, that is not otherwise exempted in accordance with section 6-179, no more than once each calendar year.

#### Sec. 6-179. Exemptions.

Upon the initial or periodic inspection of a residential rental dwelling unit subject to this article for compliance with the building code, provided that there are no violations of the building code that affect the safe, decent, and sanitary living conditions for the tenants of such residential rental dwelling unit, the building official will provide, to the owner of such residential rental dwelling unit, an exemption from this article for a minimum of four years. Upon the sale of a residential rental dwelling unit, the building official may perform a periodic inspection as provided in subdivision 5 of section 6-178, subsequent to such sale. If a residential rental dwelling unit has been issued a certificate of occupancy within the last four years, an exemption will be granted for a minimum period of four years from the date of the issuance of

**the certificate of occupancy by the building official. If the residential rental dwelling unit becomes in violation of the building code during the exemption period, the building official may revoke the exemption previously granted under this section.**

**Sec. 6-180. Penalties.**

**Penalties for violations of this article will be the same as the penalties provided in the building code.**

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





AMENDMENTS TO THE FY 2021-22  
ANNUAL FISCAL PLAN FOR SEPTEMBER, 2021SUMMARY

1.	Reappropriation for Continuing Programs:	
	General Fund	\$ 11,788.842
	Water and Sewer Revenue Fund	<u>\$ 700.000</u>
	Total Reappropriations for Continuing Programs	<u>\$ 12,488.842</u>
2.	New Amendments/Appropriations:	
	General Fund	\$ 558,424
	Special Revenue Fund	<u>9,807,276</u>
	Total Operating Funds	<u>\$ 10,365,700</u>
	Capital Projects Fund	<u>\$ 2,415,807</u>
	Total New Amendments/Appropriations	<u>\$ 12,781,507</u>
	 GRAND TOTAL REAPPROPRIATIONS/NEW AMENDMENTS/ APPROPRIATIONS	 <u><u>\$ 25,270,349</u></u>

**I. REAPPROPRIATION OF UNENCUMBERED BALANCES  
FOR CONTINUING PROGRAMS**

The following amendment requests are for reappropriation of unencumbered balances budgeted in FY 2020-21 for specific approved purposes. These funds, if approved for reappropriation in FY 2021-22, will be used for those same purposes as budgeted for in the prior fiscal year's budget, since for some acceptable reason they could not be expended or encumbered as of June 30, 2021:

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating Fund

Department 04 - Circuit Court

04001 - Circuit Court Clerk \$ 259,550

0000 00000 Funds were received in FY 2020-21 from the Commonwealth of Virginia Compensation Board for the Clerk's Technology Trust Fund. An unencumbered balance of \$259,550 as of June 30, 2021, is to be reappropriated in FY 2021-22. These funds will be used for indexing, imaging, and enhancement of the current imaging system. This system covers land records as well as state highway plats, county road maps, and wills in order to provide better service to the public in the Records Room. This funding will also enable the Clerk's Office to update and replace aging equipment.

Department 19 - Information Technology

19001 - Information Technology \$ 350,000

0000 00000 County funds are required annually to purchase and repair communications equipment for all County agencies as needed throughout the fiscal year. This unencumbered balance as of June 30, 2021, is to be reappropriated in FY 2021-22 to fund these purchases.

Department 28 - Public Works

28004 - Construction \$ 6,932,892

0000 00000 Certain Public Works functions were funded in FY 2020-21 from State Transportation Maintenance Allocation funds. The unencumbered balance of those funds as of June 30, 2021, is requested to be reappropriated in FY 2021-22 for those same designated purposes.

28011 - Transportation and Mobility \$ 4,246,400

0000 00000 Transportation and mobility functions were funded in FY 2020-21. The unencumbered balance of those funds as of June 30, 2021, is requested to be reappropriated in FY 2021-22 for those same designated purposes.

Total GENERAL FUND \$ 11,788,842

FUND 5101 - Water and Sewer Revenue Fund

Department 31 - Public Utilities

31303 - Maintenance \$ 700,000

1000 00000 Department of Public Utilities functions were funded in FY 2020-21. The unencumbered balance of those funds as of June 30, 2021, is requested to be reappropriated in FY 2021-22 for those same designated purposes.

Total Water and Sewer Revenue Fund \$ 700,000

TOTAL REAPPROPRIATION FOR CONTINUING PROGRAMS \$ 12,488,842

## 2. NEW AMENDMENT REQUESTS

The following amendment requests represent new amendments/appropriations as represented by documentation presented to the County Manager, stating justification for the request and identifying the funding source:

### OPERATING FUNDS

#### FUND 0101 - GENERAL FUND - General Operating Fund

Department 32 - Non-Departmental			
32001	– Non-Departmental	\$	500,000
0000 00000	To appropriate resources received from the Commonwealth's allocation of funds from the American Rescue Plan Act for the Achievable Dream Academy, signed by the Governor, August 10, 2021. Funds are to be used for scholarships for Academy graduates.		
Department 38 - Community Revitalization			
38001	– <u>Community Revitalization</u>	\$	58,424
0000 00000	To fund a Code Compliance Officer position that will focus on code enforcement in some of the County's aging hotels. Additionally, the position will be responsible for (i) monitoring apartment complexes for compliance with Plans of Development and the zoning ordinance and (ii) addressing code violations. Resources will come from the fund balance in the General Fund.		
Total GENERAL FUND		\$	558,424
FUND 1102 – SPECIAL REVENUE FUND - State and Federal Grants - County			
Department 02 - Libraries			
02001	– Public Services		
0000 09066	– <u>Facebook Community Action Grant</u>	\$	17,870
	To appropriate resources received from the Facebook Community Action Grant. Funding will be used to purchase 50 wireless hotspots for lending to residents with an emphasis on reaching patrons in the eastern portion of the County.		
Department 04 - Circuit Court			
04001	– <u>Circuit Court Clerk</u>	\$	20,302
0000 00000	The Library of Virginia has awarded the Circuit Court Clerk's Office \$20,302 for the restoration of two land books, one order book, and one will book.		
Department 12 - Police			
12035	– Metro Aviation		
1823 00000	– <u>Special Operating and Capital</u>	\$	37,650
	The Commonwealth of Virginia reimburses Henrico County's Metro Aviation Unit for State extraditions using the Unit's airplane. Additional revenue received from the State in FY 2020-21, but not appropriated for expenditure, will be used for operating and capital needs of the Metro Aviation Unit.		
12800	– Grants		
0000 09174	– <u>DCJS22 - Hate Crimes</u>	\$	49,322
	To appropriate funding from the Virginia Department of Criminal Justice Services to assist the County in fighting hate crimes. There is no local match required.		

0000 09181	– <u>DMV22 - Occupant Protection</u> To appropriate funding of \$40,750 from the Virginia Department of Motor Vehicles for overtime related to seatbelt/childseat checkpoints. These federal funds are pass-through from the National Highway Traffic Safety Administration and are being administered by the Commonwealth. The County's funding for the FICA associated with the overtime, \$2,964, will come from the fund balance in the General Fund and is included in the \$43,714 total.	43,714
0000 09182	– <u>DMV22 - DUI</u> To appropriate funding of \$225,600 from the Virginia Department of Motor Vehicles for overtime related to alcohol enforcement activities and conferences. These federal funds are pass-through from the National Highway Traffic Safety Administration and are being administered by the Commonwealth. The County's funding for the FICA associated with the overtime, \$17,105, will come from the fund balance in the General Fund and is included in the \$242,705 total.	242,705
0000 09183	– <u>DMV22 - Speed</u> To appropriate funding of \$65,162 from the Virginia Department of Motor Vehicles for overtime related to speed patrols. These federal funds are pass-through from the National Highway Traffic Safety Administration and are being administered by the Commonwealth. The County's funding for the FICA associated with the overtime, \$4,781, will come from the fund balance in the General Fund and is included in the \$69,943 total.	69,943
	Total Police	\$ 443,334
Department 22 - Social Services		
22503	– Adoption Subsidy	
1302 00000	– <u>Purchase of Services</u> To increase the County allocation to the estimated level of need for State and Federal mandated Title IV-E Adoption Program expenditures. This program is funded with \$286,511 of State (50%) and \$286,512 of federal (50%) funds. The total appropriation for this program in FY 2021-22 will be \$1,698,543 after this addition. No County matching funds are required.	\$ 573,023
22604	– Auxiliary Grants Aged	
1302 00000	– <u>Purchase of Services</u> The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico an additional \$30,400 in State funding for FY 2021-22 to fund State and Federal mandated auxiliary grant expenditures for the aged. The County's required 20% match, \$7,600, will come from current revenues in the General Fund and is included in the \$38,000 total.	38,000

22606	- Auxiliary Grants Disabled	
1302 00000	- <u>Purchase of Services</u>	193,320
	The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico an additional \$154,656 in State funding for fiscal year 2021-22 to fund State and Federal mandated auxiliary grant expenditures for the disabled. The County's required 20% match, \$38,664, will come from current revenues in the General Fund and is included in the \$193,320 total.	

Total Social Services	\$ 804,343
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Department 36 - Community Corrections		
36002	- CCP - Pretrial	
0000 09017	- <u>FY2021-22 CCP Pretrial</u>	\$ 38,574
36003	CCP - Post Trial	
0000 09018	- <u>FY2021-22 CCP Post Trial</u>	12,701
	To appropriate \$51,275 of Comprehensive Community Corrections Act funding. Funds will be used to offset the cost of Community Corrections operations.	

Total Community Corrections	\$ 51,275
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Department 38 - Community Revitalization		
38003	- CDBG	
0000 09073	- <u>FY21-22 CDBG - Administration</u>	\$ 290,000
0000 09074	- <u>FY21-22 CDBG - Commercial Assistance Program</u>	215,000
0000 09075	- <u>FY21-22 CDBG - CONNECT Program</u>	160,000
0000 09076	- <u>FY21-22 CDBG - HOME Inc. Down Payment Assistance</u>	41,250
0000 09077	- <u>FY21-22 CDBG - Richmond Metro Habitat for Humanity</u>	70,000
0000 09078	- <u>FY21-22 CDBG - project:HOMES Critical Home Repair</u>	596,929
0000 09079	- <u>FY21-22 CDBG - project:HOMES Homeowner Rehabilitation Program</u>	176,162
0000 09080	- <u>FY21-22 CDBG - CVLAS - HC Housing Law Outreach</u>	50,000
0000 09081	- <u>FY21-22 CDBG - HumanKind - SCDHC Down Payment Assistance</u>	18,000
0000 09082	- <u>FY21-22 CDBG - Safe Harbor - Support for Human Trafficking Emergency Shelter</u>	100,000
0000 09083	- <u>FY21-22 CDBG - Commonwealth Catholic Charities - Housing Stabilization</u>	30,000
	Sub-Total CDBG	\$ 1,747,341

The United States Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG), as authorized by Title I of the Housing and Community Development Act of 1974, as amended, has awarded the County of Henrico FY 2021-22 grant funds in the amount of \$1,747,341 for these 11 programs/purposes.

38004	- HOME	
0000 09084	- <u>FY21-22 HOME - Administration</u>	\$ 88,500
0000 09085	- <u>FY21-22 HOME - CHDO Activities Rehab for Sale</u>	135,000
0000 09086	- <u>FY21-22 HOME - HOME Inc. Down Payment Assistance</u>	142,500
0000 09087	- <u>FY21-22 HOME - project:HOMES Homeowner Rehabilitation Program</u>	456,581
0000 09088	- <u>FY21-22 HOME - SCDHC Down Payment Assistance</u>	65,000
	Sub-Total HOME	\$ 887,581

The United States Department of Housing and Urban Development (HUD), HOME Investment Partnerships Program, as authorized by the HOME Investment Partnerships Act of 1990, has awarded the County of Henrico, FY 2021-22 grant funds in the amount of \$887,581 for these five programs/purposes.

38007	- ESG		
0000 09089	- <u>FY21-22 ESG - Administration</u>	\$	11,025
0000 09090	- <u>FY21-22 ESG - CARITAS - Case Management for Shelter Clients</u>		20,000
0000 09091	- <u>FY21-22 ESG - Commonwealth Catholic Charities - Homeless Outreach</u>		24,000
0000 09092	- <u>FY21-22 ESG - Housing Families First - Hilliard House Emergency Shelter</u>		44,511
0000 09093	- <u>FY21-22 ESG - Homeward - Homeless Management Info System</u>		2,500
0000 09094	- <u>FY21-22 ESG - HomeAgain - Rapid Rehousing Program</u>		30,000
0000 09095	- <u>FY21-22 ESG - YWCA of Rich - Greater Rich Reg Domestic Violence Hotline</u>		15,500
	Sub-Total ESG	\$	147,536

The United States Department of Housing and Urban Development (HUD), Emergency Solutions Grant (ESG) Program, as authorized by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, has awarded the County of Henrico FY 2021-22 grant funds in the amount of \$147,536 for these seven programs/purposes.

Total Community Revitalization	\$	2,782,458
Total Fund 1102 - Special Revenue Fund-State/Fed Grants-County	\$	4,119,582

FUND 1108 – SPECIAL REVENUE FUND - Capital Region Workforce Partnership

Department 27 - Capital Region Workforce Partnership

27004	- Workforce Partnership		
0000 08902	- <u>FY2021 WIOA Dislocated Worker</u>	\$	6,343
0000 09026	- <u>FY2022 WIOA Youth IS/OS</u>		346,509
0000 09029	- <u>FY2022 WIOA Administrative</u>		38,501
0000 09101	- <u>VCCS Security Service Grant</u>		56,474

To appropriate additional allocations received from the State and Federal governments for the Capital Region Workforce Partnership.

\$	447,827
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0000 09109	- <u>Return to Earn</u>		422,625
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Return to Earn is a State-mandated grant funding program. Funds have been provided to assist small businesses by underwriting hiring bonuses to encourage people to return to work. Up to \$500 can be reimbursed for up to 25 new hires per business. The Capital Region Workforce Partnership Director will provide updates to the Board as this program progresses.

Total Fund 1108 - Special Revenue Fund-CRWP	\$	870,452
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FUND 1110 – SPECIAL REVENUE FUND - Mental Health and Developmental Services

Department 26 - Mental Health and Developmental Services

26102	- Adult Recovery Services		
2329 00000	- <u>State MH Permanent Supportive Housing Funds</u>	\$	535,331

To appropriate additional state permanent Supportive Housing funds to expand the MH/DS Permanent Supportive Housing program. This funding will support two new Complement III positions: one Case Manager and one Peer Recovery Specialist.

26103	- Youth and Family		
9572 00000	- <u>MH State STEP VA Peer and Family Support</u>	\$	72,220
26106	- Emergency Services		
9571 00000	- <u>MH State STEP VA Services - Members, Veterans and Families</u>		68,295
26111	- Collaborative Recovery Services		
9572 00000	- <u>MH State STEP VA Peer and Family Support</u>		73,098

To appropriate \$213,613 of state STEP-VA funds to provide mental health services for service members, veterans, and their families. This funding will support three new Complement III Peer Support positions.

26103	- Youth and Family		
9569 00000	- <u>MH State STEP VA Outpatient Services</u>	\$	117.408
26107	- Substance Abuse		
9569 00000	- <u>MH State STEP VA Outpatient Services</u>		90.219
26303	- Program Support		
9569 00000	- <u>MH State STEP VA Outpatient Services</u>		61.634
	To appropriate \$269,261 of state STEP VA funds for outpatient services. Funding will support three new Complement III positions: two Clinicians and one Office Assistant IV.		
26107	- Substance Use Disorder Services		
1689 00000	- <u>State MH Forensic Discharge Planning</u>	\$	177.648
	To appropriate additional state Forensic Discharge Planning grant funds. This funding will support two new Complement III Case Manager positions.		
26111	- Collaborative Recovery Services		
1521 00000	- <u>Jail Services</u>	\$	10.405
1522 00000	- <u>MH Supportive Housing</u>		5.645
26204	- Community & Residential Resources Team		
1634 00000	- <u>Residential Services</u>		84.501
26303	- Program Support		
0000 00000	- <u>Program Support</u>		96.785
	To appropriate \$197,336, which is a portion of surplus fee revenue received in FY 2013-14. These funds will be used for one-time improvements at Mental Health Support Homes, Gayton, Green Run and Shurm Group Homes, the Woodman Road Center and Hermitage Enterprises.		
26108	- Medical Services		
1696 00000	- <u>Medical Services - Primary Health Integration</u>	\$	17.641
	To appropriate third party fee revenue from primary health care services during FY 2020-21. These funds are to be used to continue primary health care services to MH/DS consumers.		
26201	- Community Support Services Director		
0000 08152	- <u>Housing and Support Services Initiatives Funds</u>	\$	160.000
	To appropriate State Community Housing Flexible funding for the Housing and Support Services Initiative. Funds were received in FY 2020-21 in excess of FY 2020-21 budgeted amounts.		
1686 00000	- <u>Mental Health Community Services Board Contributions</u>	\$	590
	This amount represents donations received from the private sector during FY 2020-21. These funds are to be used as determined by the Henrico Area Community Services Board (CSB) and/or the donors.		
	Total Fund 1110 Special Revenue Fund - MH and DS	\$	<u>1.571.420</u>



FUND 1113 – SPECIAL REVENUE FUND - Forfeitures Commonwealth's Attorney State		
Department 05 – Commonwealth's Attorney		
05001	– Commonwealth's Attorney	
0000 00000	– <u>Forfeitures - Commonwealth's Attorney - State</u>	\$ 29,194
	Law enforcement special funds, which have been received by the County of Henrico, and not yet appropriated for expenditure, are to be used by the Commonwealth's Attorney for purposes determined and approved by the County Manager.	
FUND 1114 – SPECIAL REVENUE FUND - Forfeitures Police State		
Department 12 - Police		
12850	– Asset Forfeiture	
0000 00000	– <u>Forfeitures - Police - State</u>	\$ 199,372
	Law enforcement special funds which have been received by the County of Henrico, and not yet appropriated for expenditure, are to be used by Police for law enforcement projects as determined and approved by the County Manager.	
FUND 1116 – SPECIAL REVENUE FUND - Forfeitures Police Treasury Federal		
Department 12 - Police		
12850	– Asset Forfeiture	
0000 00000	– <u>Forfeitures - Police - Treasury - Federal</u>	\$ 144
	Law enforcement special funds which have been received by the County of Henrico, and not yet appropriated for expenditure, are to be used by Police for law enforcement projects as determined and approved by the County Manager.	
FUND 1117 – SPECIAL REVENUE FUND - Forfeitures Police Justice Federal		
Department 12 - Police		
12850	– Asset Forfeiture	
0000 00000	– <u>Forfeitures - Police - Justice - Federal</u>	\$ 482,064
	Law enforcement special funds which have been received by the County of Henrico, and not yet appropriated for expenditure, are to be used by Police for law enforcement projects as determined and approved by the County Manager.	
FUND 1122 - SPECIAL REVENUE FUND - EDA Agreements		
Department 30 - Economic Development		
30005	– EDA Agreements	\$ 2,305,048
0000 00000	To provide appropriation for incentive agreements that the Economic Development Authority has entered into with Nova Aquatics, 1420 North Parham (Regency), ASGN Incorporated, TemperPack, ePac Flexible Packaging, SimpliSafe and PPD Incorporated. Resources are to come from the fund balance in the General Fund via transfer to the Special Revenue Fund.	

## FUND 1130 – SPECIAL REVENUE FUND - Commissary Fund

Department 03 - Sheriff

03004 – Special Operations \$ 230,000

03005 – Administration

0000 00000 – To provide funding for several Sheriff's Office projects. Funds will be used to purchase two TruNarc Thermo scientific kits, which provide analysis of substances without having to come into contact with the substance, and to replace worn and damaged landscaping equipment. Funds will also be used to replace aged cubicles in the Sheriff's administrative offices. Funds will come from the Sheriff's Commissary Fund.

Total Fund 1130 Special Revenue Fund - Commissary Fund	\$ 230,000
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Total SPECIAL REVENUE FUND	\$ 9,807,276
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Total OPERATING FUNDS	\$ 10,365,700
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CAPITAL FUNDS

FUND 2101 – General Capital Projects Fund

Department 16 - General Services

16999 – General Services - Capital Projects

0000 06477 – Small Projects/Renovations \$ 500,000

This amendment will provide funding for miscellaneous renovations and small projects that are needed periodically at the County's facilities. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

FUND 2109 – CAPITAL PROJECTS FUND - State and Federal Grant-Funded Capital Projects

Department 28 - Public Works

28004 – Construction

0000 08366 – Gay Avenue Sidewalk \$ 478,879

To appropriate \$478,879 from the Virginia Department of Transportation (VDOT) to install approximately 1,600 linear feet of new sidewalk, curb and gutter, box culvert extension, and sewer installation along the south side of Gay Avenue from west of Laburnum Avenue to Millers Lane. VDOT has previously allocated \$1,167,735 to this project. This addition will bring the total appropriation of State funds to \$1,646,614.

0000 08481 – East Laburnum Avenue Sidewalks 283,328

To appropriate \$283,328 from the Virginia Department of Transportation (VDOT) to construct approximately 1,450 feet of 5-foot sidewalk with ADA ramps on the north side of Laburnum Avenue. This project will include curb and gutter and drainage improvements, as well as amenities for two GRTC bus stops. VDOT will reimburse 100 percent of the total project costs and has previously allocated \$833,973 towards the project.

Total 2109 - State and Federal Grant-Funded Capital Projects	\$ 762,207
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FUND 2111 – CAPITAL PROJECTS FUND - Capital Initiatives Fund		
Department 23 - Recreation and Parks		
23999 – Recreation and Parks - Capital Projects		
0000 06693	– <u>Brookland - Athletic Facility Enhancements</u>	\$ 348,000
	This amendment will provide funding for baseball and softball field improvements at Glen Allen High School and reconstruction of tennis courts at Hermitage High School. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.	
0000 09114	– <u>Hidden Creek Recreation Center Upgrades</u>	429,000
	This amendment will provide funding for upgrades and renovations at Hidden Creek Park, to include refurbishments to the recreation center and improvements to the pickleball and tennis courts. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.	
	Total - Recreation and Parks	<u>\$ 777,000</u>
Department 28 - Public Works		
28004 – Construction		
0000 09179	– <u>Tuckahoe Club Court Road Improvements</u>	350,000
	This amendment will provide funding for road improvements on Tuckahoe Club Court. This private road will be accepted into the County's road inventory after repairs are complete. Improvements include tree removal, repaving, curb replacement, and drainage work. Funding of \$335,000 is to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund and will be matched by a \$15,000 contribution from the Tuckahoe Court Association.	
Department 32 - Non-Departmental		
32001 – Non-Departmental		
0000 08887	– <u>West End Manor Civic Association</u>	\$ 20,000
	This amendment will provide funding to the West End Manor Civic Association, a 501(c)(3) organization. This funding will be used to make improvements to their community area. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.	
0000 09180	– <u>Varina High School Signage</u>	6,600
	This amendment will provide funding for signage improvements at Varina High School associated with dedicating and renaming the stadium and other buildings on campus. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.	
0000 00000	– <u>Westham Parkway Median</u>	7,000
	This amendment will provide funding for Westham Parkway median improvements. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.	
	Total - Non-Departmental	<u>\$ 33,600</u>
	Total Capital Initiatives Fund	<u>\$ 1,153,600</u>
	Total CAPITAL PROJECTS FUND	<u>\$ 2,415,807</u>
	<b>Total New Amendments/Appropriations</b>	<u>\$ 12,781,507</u>
	<b>GRAND TOTAL REAPPROPRIATIONS/</b>	<u>\$ 12,488,842</u>
	<b>NEW AMENDMENTS/APPROPRIATIONS</b>	<u>\$ 25,270,349</u>

FROM:

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating Fund

Department 28 - Public Works

28004 - Construction \$ (6,932,892)

28011 - Transportation and Mobility (4,246,400)

0000 00000

TO:

CAPITAL FUNDS

FUND 2110 - CAPITAL PROJECTS FUND - General Capital Projects

Department 28 - Public Works

28004 - Construction

0000 08807 - Paving \$ 5,432,892

0000 09184 - Dam Repairs 1,500,000

Certain Public Works functions were funded in FY 2020-21 from State Transportation Maintenance Allocation funds. The unencumbered balance of those funds as of June 30, 2021, are requested to be reappropriated in FY 2021-22 for those same designated purposes. This funding of \$6,932,892 is to be transferred to the Capital Projects Fund via an interfund transfer from the General Fund for paving and dam repair projects.

0000 00000 - Magellan Parkway Bridge \$ 4,246,400

To provide funding for bridge replacement at Magellan Parkway. This funding of \$4,246,400 is to be transferred to the Capital Projects Fund via an interfund transfer from the General Fund for paving and dam repair projects.

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\$ 11,179,292



AMENDMENT TO THE 2021-22  
ANNUAL FISCAL PLAN FOR SEPTEMBER, 2022

CAPITAL FUNDS

FUND 2101 – CAPITAL PROJECTS FUND - General Capital Projects

Department 31 - Public Utilities

31201 - Accounting

0000 00000 - Water/Sewer Infill Projects

32,128,759

To appropriate federal funding from the American Rescue Plan Act of 2021. These are emergency relief funds to address the impact of COVID-19 on local governments. The total reflects the first tranch of funds allocated through ARPA to Henrico County, with the second tranch in the same amount coming in July, 2022. These resources will provide funding for water and sewer infrastructure projects, which will include infill projects, as was discussed with the Board of Supervisors at the most recent Board retreat, in a Board work session, and as shown on the County's website. Without these resources there would be no funding solution for these projects. The deadline to spend these funds is December 31, 2026.

Total 2101 - General Capital Projects Fund

\$ 32,128,759

Total CAPITAL PROJECTS FUND

\$ 32,128,759

Total Amendments/Appropriations

\$ 32,128,759



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

Agenda Item No. 290-21  
Page No. 1 of 1

**Agenda Title: INTRODUCTION OF RESOLUTION — Receipt of Request for Amendments to FY 2021-22  
Annual Fiscal Plan — ESSER III Funding**

For Clerk's Use Only: Date: <u>9/14/2021</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; text-align: center; border: 1px solid black; padding: 5px;">APPROVED</div>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Branin, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Schmitt, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </tbody> </table>		YES	NO	OTHER	Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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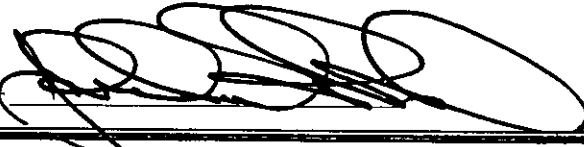
**WHEREAS**, the Commonwealth of Virginia has allocated funding from the federal Elementary and Secondary School Emergency Relief Fund under the American Rescue Plan Act of 2021 (ESSER III) to the County to address impacts related to the COVID-19 health emergency; and,

**WHEREAS**, the County Manager has provided the Board of Supervisors with a list dated September 7, 2021, showing the proposed use of the funding to address impacts related to the emergency; and,

**WHEREAS**, the FY 2021-22 Annual Fiscal Plan must be amended to add the allocated funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors that the Clerk of the Board is directed to advertise, in the Richmond Times-Dispatch on September 21, 2021, a synopsis of the proposed amendments and notice of a public hearing to be held on September 28, 2021, at 7:00 p.m., in the Board Room at the Henrico County Government Center, East Parham and Hungary Spring Roads, to ascertain the views of the citizens with respect to the proposed amendments.

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

By Agency Head  By County Manager 

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

AMENDMENT TO THE FY 2021-22  
ANNUAL FISCAL PLAN FOR SEPTEMBER, 2021

To appropriate federal funding from the Elementary and Secondary School Emergency Relief (ESSER) III grant award. These funds will provide mental health services and supports, address learning loss among students, afford summer learning, supply educational technology that aids student and teacher interaction, and be used to repair and improve school facilities to reduce risk of virus transmission and support student health needs.

OPERATING FUNDS

FUND 1109 – SPECIAL REVENUE FUND - State and Federal Grants - Schools

Department 50 - Education

50105 - Deputy Superintendent

0001 09056 - American Rescue Plan Act - ESSER III Funds \$ 28,370,889

To appropriate \$28,370,889 emergency relief funds as part of a multi-year plan to address the impact of COVID-19 on elementary and secondary schools. These resources will be used to provide key, targeted evidence-based interventions, such as expanded tutoring, additional afterschool programs, mental health services and supports, summer school enhancements, literacy programs, Henrico Virtual Academy positions, and miscellaneous operational costs throughout the grant period, which expires in September of 2024.

Total Fund 1109 - State and Federal Grants - Schools	\$ 28,370,889
Total OPERATING FUNDS	\$ 28,370,889

CAPITAL FUNDS

FUND 2105 – CAPITAL PROJECTS FUND - Schools General Capital Projects

50105 - Deputy Superintendent

0192 06741 - Virginia Randolph Partial Replacement Construction \$ 49,947,360

Funding of \$49,947,360 will be used for the design and construction of a partial replacement of Virginia Randolph Education Center. This project will increase community based services for students through a new learning hub, expand specialized programs to reach more students, and address key special education equity recommendations from the Holton report.

Total Fund 2105 - Schools General Capital Projects	\$ 49,947,360
Total CAPITAL FUNDS	\$ 49,947,360
Total Amendments/Appropriations	\$ 78,318,249





**ORDINANCE — To Amend and Reordain Section 20-273 Titled “Definitions,” Section 20-274 Titled “Levy; amount,” Section 20-275 Titled “Collection,” and Section 20-276 Titled “Reports and remittance of tax” of the Code of the County of Henrico to Conform to 2021 Changes in State Law Regarding Transient Occupancy Taxes**

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

1. That Section 20-273 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-273. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Accommodations mean any room or space, suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes, where a price is paid in a retail sale by or for a transient for the use or possession of the room or space in any hotel, motel, boarding house, travel campground, short-term rental, or other facility offering guest rooms rented out for continuous occupancy for fewer than 30 consecutive days.**

**Accommodations fee means the room charge less the discount room charge, if any, provided that the accommodations fee may not be less than \$0.**

**Accommodations intermediary means any person other than an accommodations provider that facilitates the sale of an accommodation, charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, “facilitates the sale” includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including via one or more payment processors, between a customer and an accommodations provider.**

**Accommodations intermediary does not include a person:**

**1. If the accommodations are provided by an accommodations provider operating under a trademark, trade name, or service mark belonging to such person; or**

2. Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodations provider to such person.

Accommodations provider means any person that furnishes accommodations to the general public for compensation. The term "furnishes" includes the sale of use or possession or the sale of the right to use or possess.

Affiliate means with respect to any person, any other person directly or indirectly controlling, controlled by, or under common control with such person. For purposes of this definition, "control" (including controlled by and under common control with) means the power, directly or indirectly, to direct or cause the direction of the management and policies of such person whether through ownership or voting securities or by contract or otherwise.

*Director* means the director of finance of the county.

Discount room charge means the full amount charged by the accommodations provider to the accommodations intermediary, or an affiliate thereof, for furnishing the accommodations.

*Hotel* includes, but is not limited to, any public or private hotel, inn, apartment hotel, hostelry, tourist home or house, motel, boardinghouse, short term rental, or other lodging place within the county, offering lodging to any transient for compensation.

*Lodging* includes, but is not limited to, any space or room furnished any transient.

*Operator* means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

*Person* includes, but is not limited to, an individual, firm, partnership, association, corporation, person acting in a representative capacity, or any group of individuals acting as a unit.

Retail sale means a sale to any person for any purpose other than for resale.

Room charge means the full retail price charged to the customer by the accommodations intermediary for the use of the accommodations, including any accommodations fee, before taxes. The room charge will be determined in accordance with 23VAC10-210-730 and the related rulings of the Virginia Department of Taxation on the same.

~~Room rental means the total charge, exclusive of any tax imposed on such charge, made by any hotel for lodging furnished any transient. If the charge made by any hotel to a transient includes any charge for services or accommodations in addition to that of lodging or use of space, then such portion of the total charge as represents only lodging or space rental shall be distinctly set out and billed to such transient by such hotel as a separate item.~~

~~Short-term rental means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.~~

~~Transient means the same person who, for a period of less than 30 consecutive days, either at his own expense or at the expense of another, obtains lodging or the use or possession of a room or space in any hotel or travel campground accommodation, for which lodging or use of space a charge is made in a retail sale.~~

~~Travel campground means any area, site, lot, field or tract of land offering spaces for recreational vehicles or campsites for transient dwelling purposes, or temporary dwelling during travel, recreational or vacation uses.~~

2. That Section 20-274 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-274. Levy; amount.**

(a) There is hereby imposed and levied by the county on each transient a tax in the percentages established below of the total amount price paid for room rental by or for any transient to any hotel or travel campground in a retail sale by the customer for any accommodation:

(1) Pursuant to Code of Virginia, § 58.1-3819, two percent.

(2) Pursuant to Code of Virginia, § 58.1-3823(A)1, four percent.

(3) Pursuant to Code of Virginia, § 58.1-3823(A)2, two percent.

(b) Such tax shall must be collected from such transient at the time and in the manner provided in this article.

3. That Section 20-275 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-275. Collection and billing.**

(a) For any retail sale of accommodations not facilitated by an accommodations intermediary, the accommodations provider must collect the tax imposed pursuant to this article, computed on the total price paid for the use or possession of the accommodations. The accommodations provider must separately state the amount of the tax in the bill, invoice, or similar documentation and must add the tax to the total price paid for the use or possession of the accommodations.

(b) For any retail sale of accommodations facilitated by an accommodations intermediary, the accommodations intermediary will be deemed under this article as a facility making a retail sale of an accommodation. The accommodations intermediary must collect the tax imposed pursuant to this article, computed on the room charge. The accommodations intermediary must separately state the amount of the tax on the bill, invoice, or similar documentation and add the tax to the room charge; thereafter, such tax is a debt from the customer to the accommodations intermediary, recoverable at law in the same manner as other debts.

(c) If the total price paid by the customer for any accommodation includes any charge for services in addition to that of use or possession of the room or space occupied, then such portion of the total charge as represents only use or possession of the room or space occupied must be distinctly set out and billed to such transient as a separate item.

(d) Every person receiving any payment in accordance with the provisions of this section for ~~room rental~~ any accommodation with respect to which a tax is levied under this article shall **must** collect the amount of tax thereby imposed from the transient on whom the tax is levied, or from the person paying for such ~~room rental~~ accommodation, at the time payment for such ~~room rental~~ accommodation is made. Such tax shall **will** be deemed to be held in trust by the person required to collect the tax until remitted to the county as required in this article.

4. That Section 20-276 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-276. Reports and remittance of tax.**

(a) Generally. Except as provided in subsections (b) and (c), ~~T~~the person collecting the tax levied under this article shall **is liable for the tax and must** make a report upon such forms and setting forth such information as the director may prescribe and require. Such reports shall **must** show the amount of room rental charges collected and the tax required to be collected; and shall **must** be signed and delivered to the director with a remittance of such tax. Such report and remittance shall **must** be made at least once in every 30-day period and not later than the 20th day of the month next following the month in which such tax was collected.

(b) Accommodations at hotels facilitated by accommodations intermediaries. Notwithstanding the provisions of subsection (a), for any retail sale of accommodations at a hotel facilitated by an accommodations intermediary, the accommodations intermediary must remit the taxes on the accommodations fee to the county and remit any remaining taxes to the hotel, which must remit such taxes to the county.

(c) Limitation of liability for accommodations intermediaries. Notwithstanding the provisions of subsection (a), an accommodations intermediary is not liable for taxes under this article remitted to an accommodations provider but that are then not remitted to the county by the accommodations provider. For any retail sale of accommodations facilitated by an accommodations intermediary, an accommodations provider is liable for that portion of the taxes under this article that relate to the discount room charge only to the extent that the accommodations intermediary has remitted such taxes to the accommodations provider.

5. That this ordinance shall 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. 292-21

Page No. 1 of 1

**Agenda Title: RESOLUTION – Donation of Surplus Vehicle – Excel to Excellence – Varina District**

For Clerk's Use Only: Date: <u>9/14/2021</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>William</u> (2) _____ (2) _____ REMARKS: <b>APPROVED</b>	<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></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> </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**, the County owns a 2005 GMC Savana 12-passenger van with an estimated value of \$10,700 which is surplus to the County's needs; and,

**WHEREAS**, Excel to Excellence is a non-profit organization established in 2010 that offers sports programs, after-school education programs, community service programs, and youth football camps to Henrico County students; and,

**WHEREAS**, Excel to Excellence has requested the surplus vehicle to support its programs; and,

**WHEREAS**, Va. Code § 15.2-953(C) authorizes localities to make gifts and donations of personal property to charitable and non-profit organizations.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors approves the donation of the vehicle to Excel to Excellence and authorizes the County Manager to take all steps necessary to accomplish the donation.

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

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. 294-21

Page No. 1 of 2

**Agenda Title: RESOLUTION — Approval of Third Interim Agreement — Indoor Sports Facility and Convocation Center — Fairfield District**

For Clerk's Use Only: Date: <u>9/14/2021</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>J. Hunt</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: <b>APPROVED</b>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Branin, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Schmitt, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </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"/>
	YES	NO	OTHER																							
Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, the Board of Supervisors desires to construct an indoor sports facility and convocation center to enhance sports tourism and community recreation in the County; and,

WHEREAS, the Board solicited proposals for the project under The Public-Private Education Facilities and Infrastructure Act of 2002; and,

WHEREAS, Rebkee Co. submitted a detailed proposal for the project; and,

WHEREAS, Rebkee Co. and the County negotiated and entered into an interim agreement for conveyance of approximately 24.5 acres at Virginia Center Commons for the proposed facility; and,

WHEREAS, Rebkee Co. and the County negotiated and entered into an interim agreement for the demolition of the existing structure on the property conveyed to the County and for the design and preparation of construction plans for the proposed facility at a cost of \$1,913,347; and,

WHEREAS, Rebkee Co. has performed the demolition of the existing structure and has obtained construction plans for the proposed facility which include the materials necessary for construction of the facility; and,

WHEREAS, the County has reviewed the 100% construction plans for the facility submitted by Rebkee Co. and wishes to approve them; and,

By Agency Head  By County Manager

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

Certified: \_\_\_\_\_  
 A Copy Teste: \_\_\_\_\_  
 Clerk, Board of Supervisors

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

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 294-21

Page No. 2 of 2

**Agenda Title: RESOLUTION — Approval of Third Interim Agreement — Indoor Sports Facility and Convocation Center — Fairfield District**

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WHEREAS, because of supply chain disruptions, Rebkee Co. wishes to provide for the submission of orders for the materials necessary for construction of the facility when such materials become available; and,

WHEREAS, the Board wishes to authorize the final demolition work necessary for construction of the property; and,

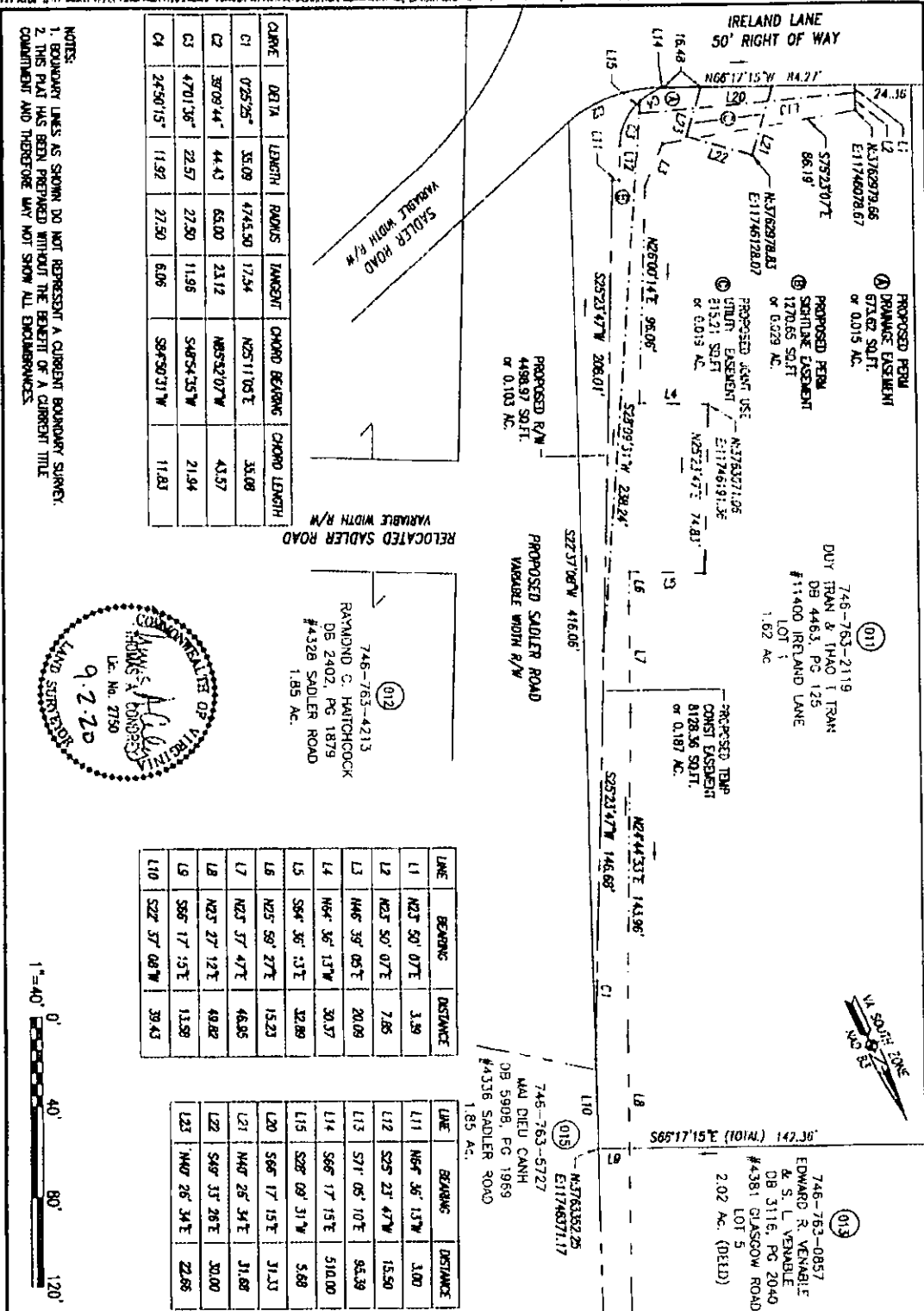
WHEREAS, Rebkee Co. and the County have negotiated an interim agreement to provide for the final demolition work and the ordering and delivery of the necessary materials in the amount of \$11,160.132; and,

WHEREAS, the parties anticipate future negotiation of a comprehensive agreement for actual construction of the proposed facility.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves the 100% construction plans and the third interim agreement and authorizes the County Manager to execute the interim agreement in a form approved by the County Attorney.

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



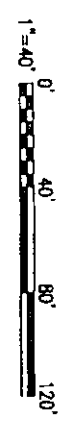


NOTES:  
 1. BOUNDARY LINES AS SHOWN DO NOT REPRESENT A CURRENT BOUNDARY SURVEY.  
 2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMENT AND THEREFORE MAY NOT SHOW ALL ENCUMBRANCES.

CURVE	DATA	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD LENGTH
C1	0°25'26"	35.08	4745.50	17.54	N25°11'03"E	33.08
C2	30°08'44"	44.43	65.00	23.12	N85°52'07"W	43.57
C3	47°01'36"	22.57	22.50	11.96	S46°54'35"W	21.94
C4	24°50'15"	11.92	27.50	6.06	S84°50'31"W	11.83

LINE	BEARING	DISTANCE
L1	N23°50'07"E	3.39
L2	N25°50'07"E	7.86
L3	N46°39'05"E	20.08
L4	N64°36'13"W	30.57
L5	S84°36'33"E	32.89
L6	N25°58'27"E	15.23
L7	N25°37'47"E	46.86
L8	N25°27'12"E	49.82
L9	S66°17'35"E	11.98
L10	S22°57'08"W	39.43

LINE	BEARING	DISTANCE
L11	N64°36'13"W	3.00
L12	S25°23'47"W	15.50
L13	S71°08'10"E	94.39
L14	S66°17'15"E	516.00
L15	S28°09'31"W	5.88
L20	S66°17'15"E	31.33
L21	N40°26'34"E	31.68
L22	S48°33'26"E	30.00
L23	N40°26'34"E	22.85



PLAT SHOWING PROPOSED RIGHT OF WAY, TEMPORARY CONSTRUCTION, JOINT USE UTILITY, SIGHTLINE AND PERMANENT DRAINAGE EASEMENTS ACROSS PROPERTY OWNED BY DUY TRAN & THAO T. TRAN  
 THREE CHOPT DISTRICT, HENRICO VIRGINIA

Brokenbrough

DRAWN	MAJ	CLIENT	RKK
DESIGN	RKK	JOB NO.	17-102.01
APPROVED	TAC	DATE	9-2-20
D.C. REVIEW	JBG	SCALE	1"=40'

SHEET NO  
1 of 1



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 296-21
Page No. 1 of 1

Agenda Title: RESOLUTION — Acquisition of Right-of-Way and Easements — 4729 Sadler Road and 11211 Sadler Oaks Drive — Sadler Road Improvements Project — Three Chopt District

For Clerk's Use Only:

Date: 9/14/2021

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

BOARD OF SUPERVISORS ACTION

Moved by (1) Branin Secoded by (1) Nelson
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Table with 3 columns: YES, NO, OTHER. Rows for Branin, T.; Nelson, T.; O'Bannon, P.; Schmitt, D.; Thornton, F. with checkmarks in the YES column.

WHEREAS, the County needs to acquire 762.58 sq. ft. of right-of-way, 22,398.54 sq. ft. of temporary construction easement, and 10,005.64 sq. ft. of permanent Dominion Energy/Verizon/joint use utility easement across the property at 4729 Sadler Road for the Sadler Road Improvements project; and,

WHEREAS, the County also needs to acquire 1,740.81 sq. ft. of permanent utility easement and 1,272.64 sq. ft. of temporary construction easement across the property at 11211 Sadler Oaks Drive for the project; and,

WHEREAS, Sadler Oaks Community Association, Inc. owns the properties and has agreed to sell the right-of-way and easements for \$90,000.

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

- (1) it authorizes the acquisition of the right-of-way and easements for \$90,000; and,
(2) the County Manager, or his designee, and the County Attorney are authorized to execute all documents and undertake all actions necessary to complete the acquisition.

Comments: The Deputy County Manager for Community Operations and the Director of Public Works recommend approval of the Board paper; the County Manager concurs.

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

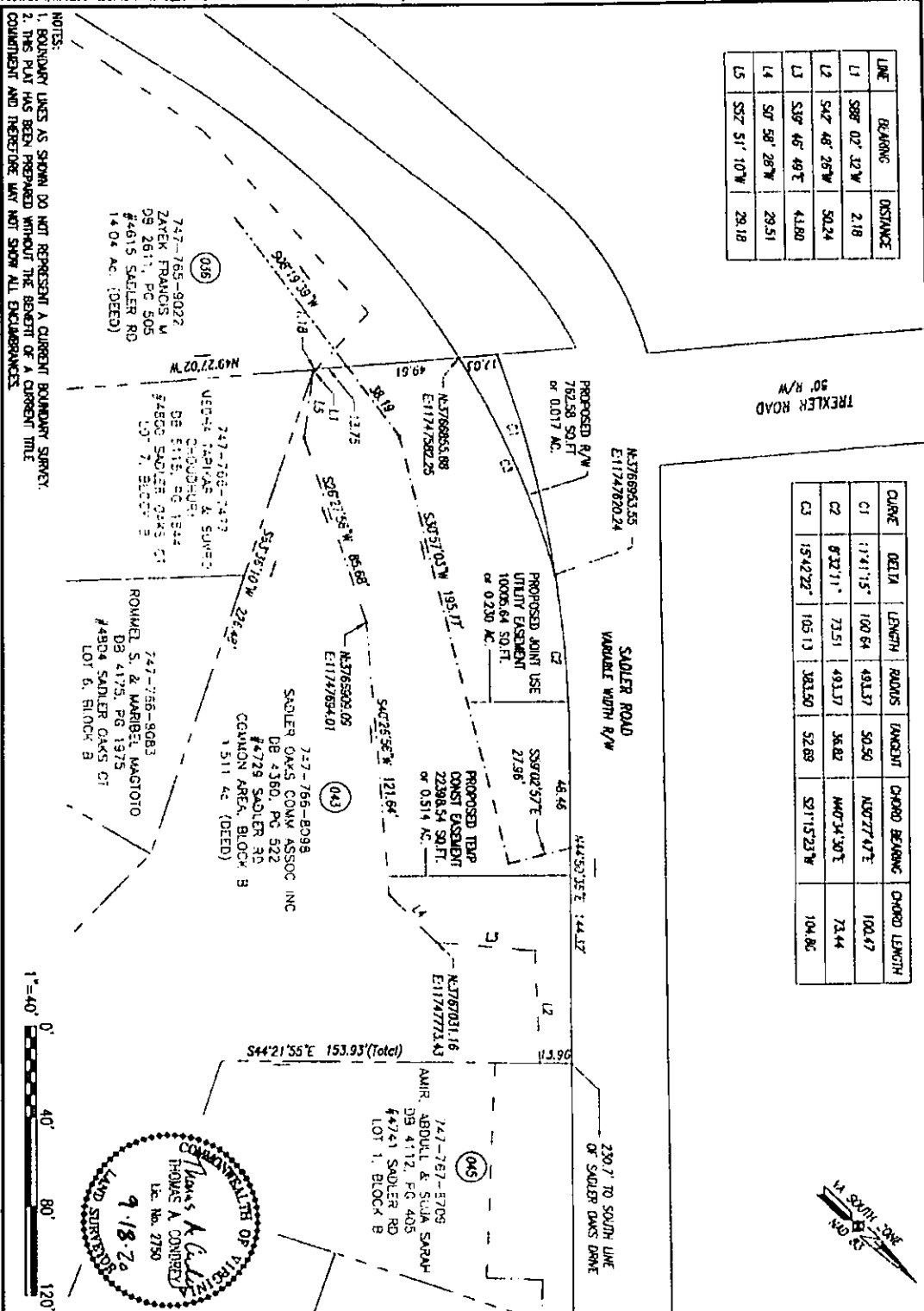
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A Copy Teste: Clerk, Board of Supervisors

Copy to:

Date:

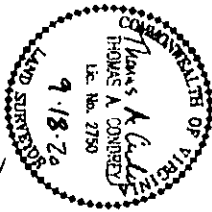
LINE	BEARING	DISTANCE
L1	S88°07'32"W	2.18
L2	S47°48'26"W	50.24
L3	S39°46'49"E	43.80
L4	S7°58'28"W	29.51
L5	S57°51'10"W	28.18

CHORD	DELTA	LENGTH	BEARING	CHORD BEARING	CHORD LENGTH
C1	174°15'	100.64	49.17	S0.50	100.47
C2	83°11'	73.51	49.17	N67°24'30"E	73.44
C3	154°22'	105.13	38.50	S21°52'3"W	104.80



NOTES:  
 1. BOUNDARY LINES AS SHOWN DO NOT REPRESENT A CURRENT BOUNDARY SURVEY.  
 2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND THEREFORE MAY NOT SHOW ALL ENCUMBRANCES.

1"=40'  
 0' 40' 80' 120'

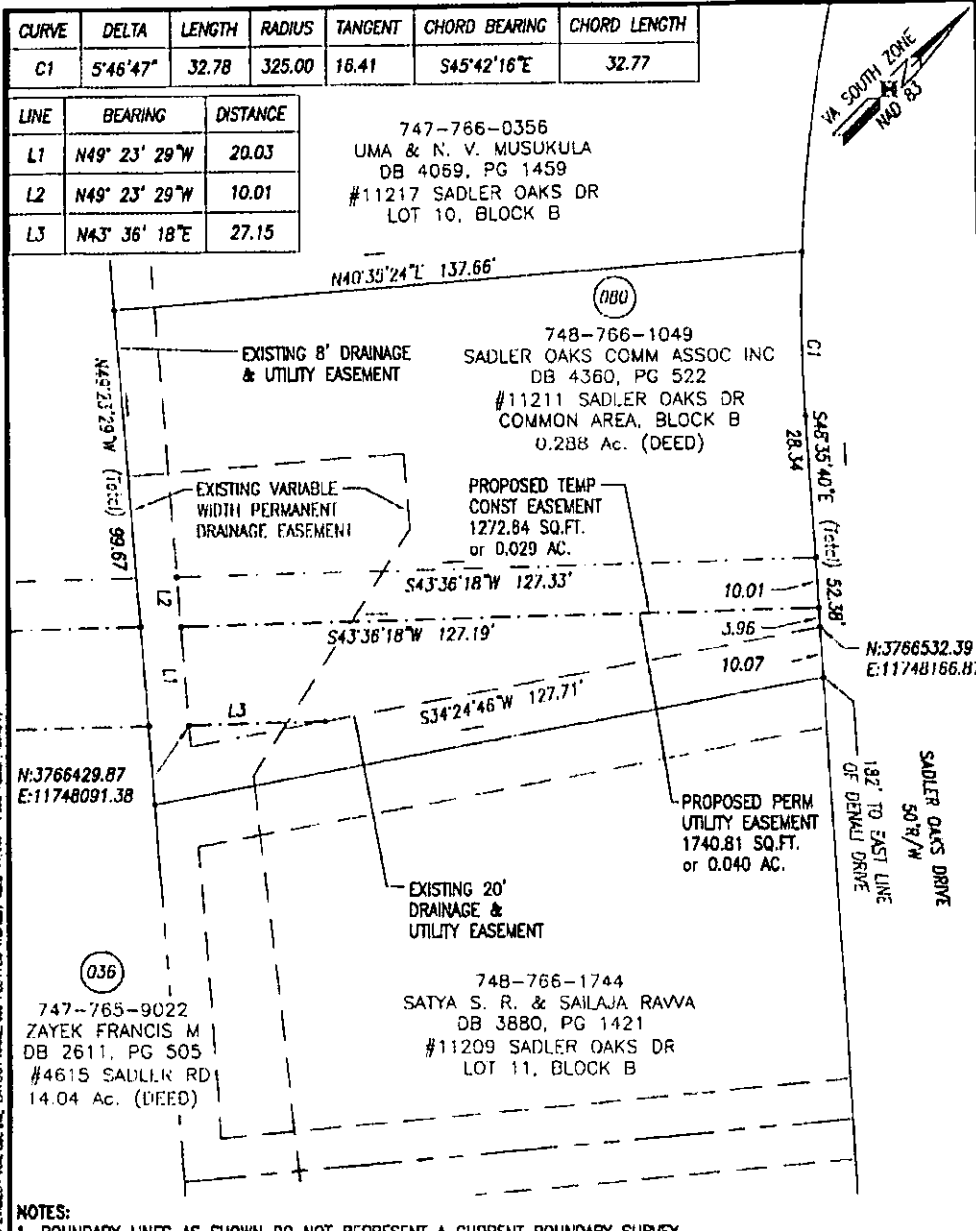


PLAT SHOWING PROPOSED RIGHT OF WAY,  
 JOINT USE UTILITY AND TEMPORARY  
 CONSTRUCTION EASEMENTS ACROSS  
 THE PROPERTY OWNED BY  
 SADLER OAKS COMMUNITY ASSOCIATION INC.  
 THREE CHOPT DISTRICT, HENRICO VIRGINIA

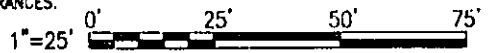
ARTHUR  
**Brockenbrough**

DRAWN	MAJ	DATE	RKK
DESIGN	RKK	17-102.01	
APPROVED	TAC	9-18-20	
C.C. REVIEW	JBG	SCALE	1"=40'

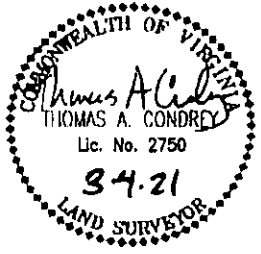
SHEET NO  
 1 OF 1



**NOTES:**  
1. BOUNDARY LINES AS SHOWN DO NOT REPRESENT A CURRENT BOUNDARY SURVEY.  
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND THEREFORE MAY NOT SHOW ALL ENCUMBRANCES.



PLAT SHOWING PROPOSED TEMPORARY CONSTRUCTION EASEMENT AND PROPOSED PERMANENT UTILITY EASEMENT ACROSS THE PROPERTY OWNED BY SADLER OAKS COMMUNITY ASSOCIATION INC. THREE CHOPT DISTRICT, HENRICO, VIRGINIA



Austin Brockenbrough  
ENGINEERING CONSULTANTS  
www.brockenbrough.com

DRAWN	CLIENT	
MAJ	RKK	
DESIGN	RKK	17-102.01
APPROVED	TAC	DATE 3-4-21
C.E. REVIEW	JBG	SCALE 1"=25'

FILE NAME: G:\17\00017\02\01 Sadler Road Subdivision - Henrico County, Virginia.dwg LAYOUT NAME: 000 PLOTTED: Thursday, March 11, 2021 11:25:11 AM



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 297-21
Page No. 1 of 1

Agenda Title: RESOLUTION — Acquisition of Right-of-Way and Easements — 4870 Sadler Road — Sadler Road Improvements Project — Three Chopt District

For Clerk's Use Only:

Date: 9/14/2024

- Approved
Denied
Amended
Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Branin Secoded by (1) Nelson
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Vote table with names: Branin, T., Nelson, T., O'Bannon, P., Schmitt, D., Thornton, F.

WHEREAS, the County needs to acquire 706.26 square feet of right-of-way, 5,105.43 square feet of temporary construction easement, and 10,226.83 square feet of permanent joint use utility easement across the property at 4870 Sadler Road for the Sadler Road Improvements project; and,

WHEREAS, PFI VPN Portfolio Fee Owner, LLC owns the property and has agreed to sell the right-of-way and easements for \$124,974.

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

- (1) it authorizes the acquisition of the right-of-way and easements for \$124,974; and,
(2) the County Manager, or his designee, and the County Attorney are authorized to execute all documents and undertake all actions necessary to complete the acquisition.

Comments: The Deputy County Manager for Community Operations and the Director of Public Works recommend approval of the Board paper; the County Manager concurs.

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

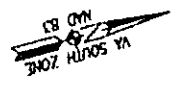
Certified:
A Copy Teste: Clerk, Board of Supervisors

Copy to:

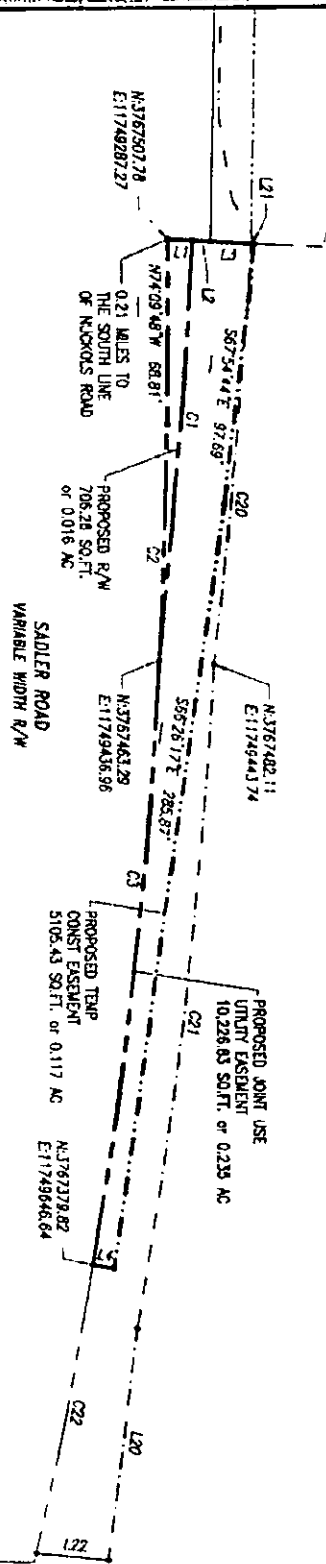
Date:



749-767-1780  
STERLING, WAYNE LOWERY  
& PATRICIA WILHELM  
DB 5077, PG 1898  
#4860 SADLER RD  
2.79 AC. (CEED)



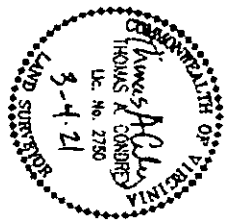
749-767-6576  
PFI VPN PORTFOLIO  
FEE OWNER LLC  
DB 5659, PG 1901  
PB 13, PG 383  
#4870 SADLER RD  
6.548 AC. (PARCEL B)



LINE #	BEARING	DISTANCE
L1	S18° 44' 18" W	9.02
L2	S18° 44' 18" W	6.80
L3	N18° 23' 57" E	14.98
L4	S24° 55' 09" W	7.88
L20	S87° 25' 38" E	87.24
L21	N18° 23' 57" E	1.19
L22	S21° 21' 01" W	28.72

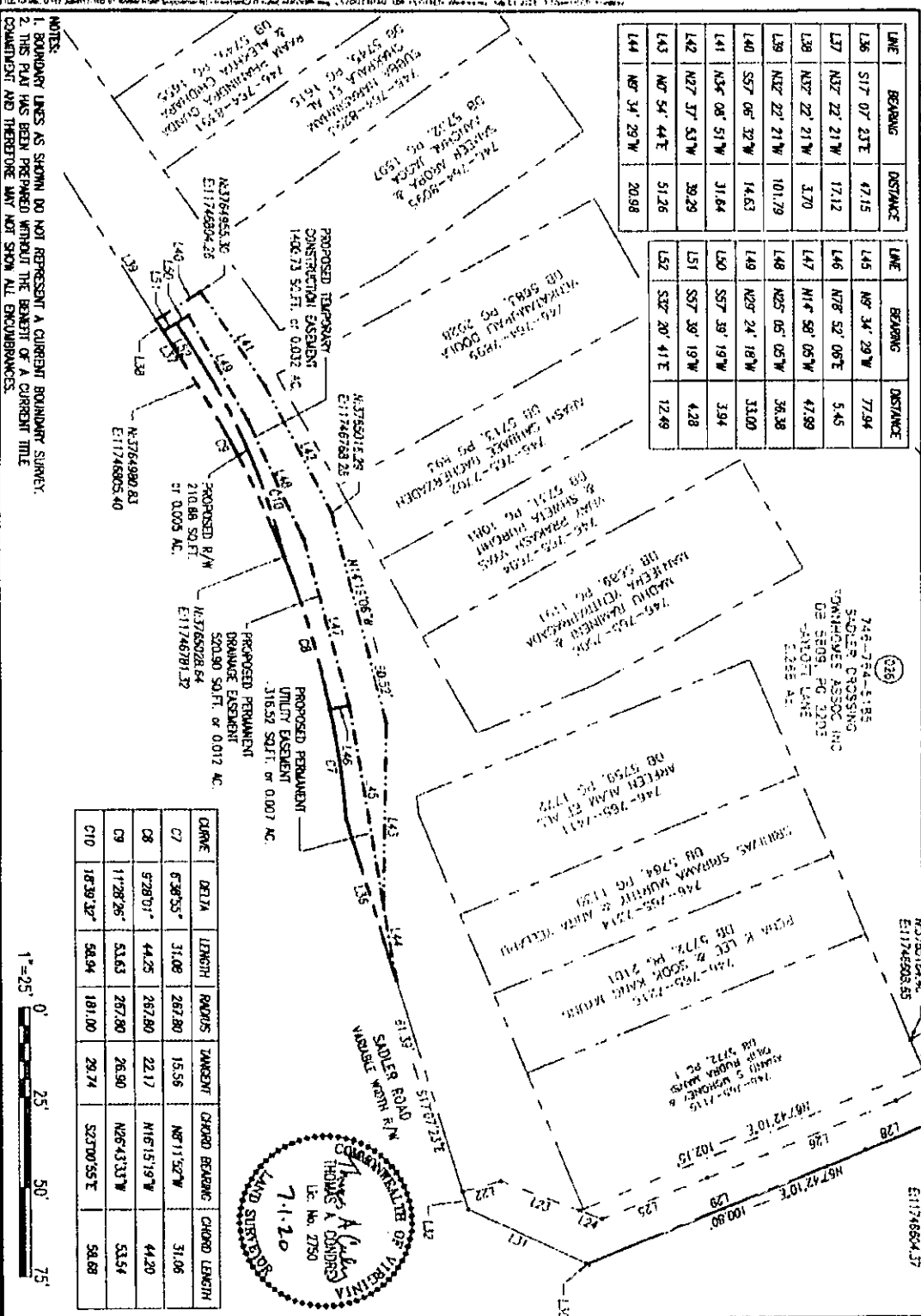
CURVE #	DELTA	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD LENGTH
C1	7° 46' 25"	156.09	3224.59	78.06	S70° 08' 14" E	156.07
C2	2° 33' 32"	87.31	1954.81	41.66	N72° 53' 02" W	87.30
C3	6° 37' 07"	225.81	1954.81	113.03	N68° 17' 36" W	225.69
C20	2° 45' 12"	156.80	3258.77	78.32	S88° 29' 30" E	156.59
C21	7° 11' 25"	247.83	1974.81	124.08	S87° 59' 35" E	247.67
C22	5° 11' 55"	109.13	1954.81	54.58	S63° 23' 05" E	109.11

NOTES:  
1. BOUNDARY LINES AS SHOWN DO NOT REPRESENT A CURRENT BOUNDARY SURVEY.  
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND THEREFORE MAY NOT SHOW ALL ENCUMBRANCES.



SHEET NO	PLAT SHOWING PROPOSED RIGHT OF WAY, TEMPORARY CONSTRUCTION AND JOINT USE UTILITY EASEMENT ACROSS PROPERTY OWNED BY PFI VPN PORTFOLIO FEE OWNER LLC THREE CHOPT DISTRICT, HENRICO VIRGINIA	DRAWN MAJ RKK DESIGN RKK APPROVED TAC C.L.C. REVIEW JBG	CLPNT RKK RES NO 17-102.01 DATE 3-4-21 SCALE 1"=40'
		www.brockenbrough.com	
		17-102.01	





LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L36	S17° 07' 23"E	47.15	L45	N8° 34' 29"W	77.94
L37	N27° 22' 21"W	17.12	L46	N78° 52' 08"E	5.45
L38	N27° 22' 21"W	17.0	L47	N14° 50' 05"W	47.99
L39	N27° 22' 21"W	101.79	L48	N25° 05' 05"W	58.38
L40	S27° 06' 32"W	14.63	L49	N29° 24' 18"W	33.00
L41	N24° 08' 51"W	31.64	L50	S27° 39' 19"W	3.94
L42	N27° 37' 53"W	39.29	L51	S27° 39' 19"W	4.28
L43	N07° 54' 44"E	51.26	L52	S27° 20' 41"E	12.49
L44	N07° 34' 29"W	20.98			

CURVE	DELTA	LENGTH	POINTS	TANGENT	CHORD BEARING	CHORD LENGTH
C7	6°30'55"	31.08	267.80	15.56	N87°11'52"W	31.06
C8	5°28'01"	44.25	267.80	22.17	N16°15'19"W	44.20
C9	11°28'26"	51.63	267.80	26.90	N26°43'33"W	53.54
C10	18°30'32"	58.94	181.00	29.74	S27°00'55"E	58.68

NOTES:  
 1. BOUNDARY LINES AS SHOWN DO NOT REPRESENT A CURRENT BOUNDARY SURVEY.  
 2. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND THEREFORE MAY NOT SHOW ALL ENCUMBRANCES.



SHEET NO <b>2 OF 2</b>	PLAT SHOWING PROPOSED RIGHT OF WAY, PERMANENT DRAINAGE, PERMANENT UTILITY AND TEMPORARY CONSTRUCTION EASEMENTS ACROSS PROPERTY OWNED BY SADLER CROSSING TOWNHOMES ASSOCIATION INC THREE CHOPT DISTRICT, HENRICO VIRGINIA		 DRAWN: MAJ RKK CHECKED: RKK APPROVED: TAC DATE: 7-1-20 PLOTTED BY: JAG





# Libbie Avenue Improvements





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

Agenda Item No. 300-21

Page No. 1 of 1

Agenda Title: **RESOLUTION — Approval of Proposed Bankruptcy Plan — Mallinckrodt**

For Clerk's Use Only: Date: <u>9/14/2021</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Branin</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>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>Schlitt, 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.	✓	—	—	Schlitt, D.	✓	—	—	Thornton, F.	✓	—	—
		YES	NO	OTHER																						
Branin, T.	✓	—	—																							
Nelson, T.	✓	—	—																							
O'Bannon, P.	✓	—	—																							
Schlitt, D.	✓	—	—																							
Thornton, F.	✓	—	—																							

WHEREAS, Henrico County is a plaintiff in litigation against various pharmaceutical manufacturers, distributors, and others to recover damages arising from the opioid epidemic; and,

WHEREAS, Mallinckrodt is a defendant in the litigation and has filed for bankruptcy protection related to the liabilities it faces as a result of its involvement in the marketing and sale of opioids; and,

WHEREAS, Henrico County is a creditor in the Mallinckrodt bankruptcy proceeding; and,

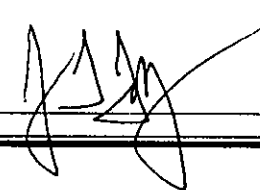
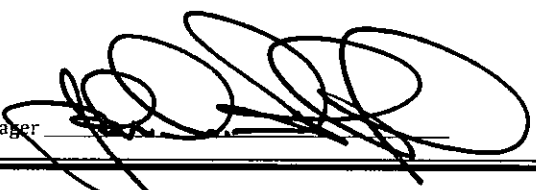
WHEREAS, all creditors in the Mallinckrodt bankruptcy proceeding are entitled to vote by September 17, 2021, on acceptance of a plan that has been proposed to resolve the Mallinckrodt bankruptcy proceeding; and,

WHEREAS, the Board's outside opioid litigation counsel has recommended that the Board approve the proposed bankruptcy plan; and,

WHEREAS, the County Attorney has reviewed the available information about the proposed bankruptcy plan and concurs with the recommendation of outside counsel.

NOW, THEREFORE, BE IT RESOLVED by the Henrico County Board of Supervisors that the County Attorney is authorized to direct the County's outside opioid litigation counsel to cast the vote of Henrico County in favor of the proposed bankruptcy plan as recommended by outside counsel.

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

By Agency Head  By County Manager 

---

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

Clerk, Board of Supervisors

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

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