

**County of Henrico, Virginia
Board of Supervisors
Regular Meeting
September 8, 2026**

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, September 8, 2026, at 6:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

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

Other Officials Present:

John A. Vithoulkas, County Manager
Andrew R. Newby, County Attorney
Jackson P.F. Baynard, Deputy County Manager for Public Safety
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
Steven J. Yob, Deputy County Manager for Community Operations
Ben Sheppard, Director of Communications

Rabbi Cristina Ramirez of Congregation Or Atid delivered the invocation.

On motion of Mrs. Roundtree, seconded by Mr. Nelson, the Board approved the minutes of the August 25, 2026, Regular and Special Meetings.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

Recognition of News Media

Mr. Cooper recognized Deniel Dookan with WRIC TV-8.

Manager's Comments

There were no comments from the Manager.

Board of Supervisors' Comments

Mr. Rogish announced the passing of Joseph "Joe" Betzala. Mr. Betzala was a life member of the Tuckahoe Rescue Squad and was active in his community. Mr. Rogish offered prayers and condolences to the family.

Agenda Item Public Hearings – Rezoning Cases and Provisional Use Permits

96-26 PUP-2026- 100022 Brookland	Spy Rock Real Estate Group: Request for a Provisional Use Permit under Sections 24-2306 and 24-3708 of Chapter 24 of the County Code to allow a mixed-use development with multifamily residential on Parcel 776-736-7233 located at the southeast intersection of Westmoreland Street and Jacque Street.
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Mr. Vithoulkas announced a deferral of this item has been requested by the applicant to the October 13, 2026, meeting.

Jim Hawes, a resident of the Brookland District, spoke on behalf of his family's third generation business located on Jacque Street. Mr. Hawes' remarks were prefaced with the statement that he is not opposed to responsible development which takes into account business and customer needs. He emphasized his desire that the County and Planning staff do its due diligence when considering this case. Concerns include the number of residential projects currently in planning stages, the increase in services and infrastructure to meet demand, and particularly the increased density in an industrial area.

Mr. Schmitt stated he supports deferral of the case. He addressed speaker concerns and provided a case update which included meetings with the applicant to address additional concerns. He made clear that the Board looks at traffic studies and school impacts when considering a case and assured everyone that the County does its due diligence. To take advantage of the deferral and to use time wisely, next steps include meeting with Planning staff and follow-up meetings with businesses and provide quality mixed-use developments that County residents desire.

On motion of Mr. Schmitt, seconded by Mr. Rogish, and by unanimous vote, the Board deferred this item to the October 13, 2026, meeting.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

179-26 REZ-2026- 100545 Varina	Beckley Bluford Investment, LLC: Request to rezone from C-1 Conservation District to A-1 Agricultural District on part of Parcel 832-727-2459 containing 26.4 acres located on the east line of Beckley Road approximately 300' west of its intersection with Beverstone Road.
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Seth Humphreys responded to questions from Mr. Nelson regarding the previous request for this development; clarifying the original case was denied based on the amount of homes and it was listed as R-5A and wanted to rezone to C-1. He noted both cases were denied, but he recalled that some of the land is A-1 and knew there was a possibility the developer would come back with a new development.

Mr. Nelson requested clarification on the line drawn on the development for the floodplain and conservation area.

Andy Condlin, on behalf of the applicant, noted the request is to take it to A-1, and the development would not be in the floodplain area. He shared the prior plat on the land and showed how the line was drawn to determine the floodplain area. The applicant is requesting the development be A-1 with 1 acre lots as the residents voiced concerns about the prior case and noted they just want to be A-1 which is appropriate for the Varina area and it is not in the floodplain area. He estimates they will be able to get about 20 lots on the front portion and 10 lots on the back for a total of 30 lots.

The following individuals spoke regarding this item:

- Sarah LaPoint, a resident of the Varina District, voiced concerns about the run-off from the stormwater for this development and the impact it will have on the surrounding property owners with issues with their well water and the concerns with flooding on their properties they already experience. She also noted the conservation area and the importance of maintaining the conservation.
- Adam Collett, a resident of the Varina District, voiced concerns about the parcel and noting it is unable to be rezoned, and it still should be C-1 zoning which will protect Henrico's natural resources including the floodplains. He also expressed concerns the development would have financial harm on him and his family with the increase in property tax and requested the Board not rezone the parcel.
- Ricky Whit, a resident of the Varina District, voiced concerns about the impact this development will have on the surrounding community with their well water and the runoff from the stormwater. He also raised concerns about swamp pink growing on the development and noted in our newly approved Comprehensive Plan C-1 exists to protect the floodplain and natural resources. He requested the Board reconsider the approval of this development.
- Elmer Hutchins, a resident of the Varina District, also voiced the concerns of the prior speaker and noted the water flows down and there is no elevation for the water to flow to except to the existing

homeowners. He also noted he had over 200 signatures on a petition from the community who are in opposition of this development.

At the request of Mr. Nelson, Mr. Condlin addressed the concerns voiced by the resident and noted our Public Works Department has confirmed the development is not in the floodplain. He also noted the property owner has already applied for and awaiting confirmation for a stream restoration nutrient bank – very first one privately funded in the Commonwealth of Virginia and requested the Board treat the property as in any other development and approve the request.

Terrell Hughes, Director of Public Works, regarding the floodplain concerns, he noted during the plan of development process it includes adopting the floodplains and noted what is currently shown is not in the floodplain and FEMA has since updated their maps to reflect this, and that is what governs the floodplain.

Bentley Chan, Director of Public Utilities, responded to the concerns of PFAS in the wells; explained there are wells that have tested positive for PFAS and they have provided free filters systems for these homes and noted testing for PFAS and the filters are offered free through the County.

Steve Yob, Deputy County Manager for Community Operations, responded to the concern of swap pink growing in the area and noted he is not aware of any in this area.

Mr. Nelson stated respectfully to the community when the case came forward last year, the issue was density in the area and he voted against the property but noted we knew the case would come back in a different form and in order to be sure he will get clarity on the impact of the wells in the community, verify if there is swap pink growing in the area. He requested Mr. Chan to review the PFAS in this community and around the development and requested staff to review the swamp pink and verify it is not in the area; particularly at the level the federal government does when researching the area and conservation. He explained he denied the case last year based on what he heard from the residents, the concerns with the density and now he is hearing the community just doesn't want development or new neighbors.

Mr. Chan responded to a question from Mr. Rogish regarding the pump station in the area and the capacity it would be able to take on. Noted he will get the answers to these concerns for both him and Mr. Nelson.

Andrew Newby, County Attorney, clarified for Mr. Nelson and the residents that the case would come back for decision only meaning the public hearing is closed on this item. The Board will not hear any public comments at the October 13 meeting. The public is welcome to email

their concerns up until the meeting, and they will be included in the official minutes.

On motion of Mr. Nelson, seconded by Mr. Schmitt, and by unanimous vote, the Board deferred this item to the October 13, 2026, meeting for decision only.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

155-26
REZ-2026-
100676
Fairfield

Imago Dei School: Request to conditionally rezone from M-2 General Industrial District to R-4C One-Family Residence District (Conditional) on part of Parcel 799-733-1982 containing 8.86 acres located at the southeast intersection of Dill Road and Vawter Avenue.

Anne Neil Cosby, with McGuire Woods on behalf of the applicant, noted at the last meeting there were questions regarding the module units. She noted they have submitted revised proffers and hopes they have addressed all the concerns.

Ms. Molly Mallow with the Planning Department responded to a question from Mr. Rogish regarding the current zoning allows for the development to be a board school, but the applicant has prohibited the use in their proffers.

At the request of Mr. Cooper, Ms. Mallow explained in the updated proffers they are proposing some native planting.

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

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

1. **Permitted Uses.** All uses permitted in the R-4 district shall be permitted except for the following:
 - a. Single-family dwellings
 - b. Group home
 - c. Children's residential facility
 - d. Government offices
 - e. Police, fire, or EMS facility
 - f. Public park
 - g. Parks and open areas not specified elsewhere
 - h. Utility, major
 - i. Golf course
 - j. Bed and breakfast inn

2. The temporary prefabricated building (the "Temporary Building") shall be located on the Property in either the area identified on the Conceptual Site Plan as "option-1" or as "option-2" attached hereto (see case file) and made part of these proffers. Landscaping shall be installed around the foundation of the Temporary Building as approved by the Planning Director during the Temporary Use Permit process.
3. The existing stormwater pond located on the Property shall be secured with a safety fence. Prior to the issuance of the certificate of occupancy for the Temporary Building the safety fence shall be in place. If the County determines that the existing fence is sufficient to provide security, it may remain on the Property. If not, any new fence shall meet the design criteria for safety fences as provided in the Virginia Stormwater Management Handbook.
4. As part of a plan of development (the "POD") for construction of any permanent structure on the Property, the Owner/Applicant will, where practical, implement post-development measures to protect the natural resources of the Property including but not limited to:
 - a. Planting native, non-invasive landscaping on the Property along buffer and common areas
 - b. Incorporate native plants for landscaping around building entrances, in student gardens, and in parking islands
 - c. Use vegetation to shade HVAC units
 - d. Use bioretention areas, rain gardens, bioswales, permeable pavement, or other infiltration practices
 - e. Install high-branching canopy trees around play areas to reduce heat and support wildlife biodiversity while providing sight lines to play areas
 - f. Preserve existing mature trees on the Property during development, to the extent practical
5. Prior to filing the final POD, 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.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

180-26
PUP-2026-
100750
Varina

Whitehead & Chiocca Properties, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-4315.D of Chapter 24 of the County Code to allow an indoor event venue on part of Parcel 818-725-7584 located on the south line of Nine Mile Road approximately 400' east of its intersection with Newbridge Road.

Ms. Mallow clarified for Mr. Nelson one of the updated conditions is the hours of operations and for anyone attending an event under the age of 18 would be required to submit identification and an off-duty police officer or security officer would have to be onsite for all after-hour events.

Lois Lewis-Jolley, the owner of the property, noted she has several business on the Nine Mile Road corridor and noted they also host non-profit events at this facility and thanked the staff, Board and everybody who have helped get the event space up to date and ensuring they are good neighbors. She also noted she handles all the balloons for events for the County, noting that her family has serviced this neighborhood and this community for over 20 years and wants to make sure they continue to do so safely and in compliance.

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

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

1. This provisional use permit will only allow the following:
 - a. A private reception and event venue
 - i. Operating hours for events and private receptions with unaccompanied minors (under 18 years old) will be permitted only from 8:00 am to 10:00 pm. All other events will be permitted only from 8 am to midnight.
 - ii. The owner or a representative of the owner must check all identification cards to verify ages before individuals are permitted into the business.
2. The owner or a representative of the owner must be on-site during all hours of operation.
3. Public dance halls, as defined in Section 24-8405 of the county's Zoning Ordinance, are prohibited. No later than 60 days following the approval of this Provisional Use Permit, the applicant must satisfy the requirements of the Chief of Police regarding a dance hall permit (see Section 4-63 of the County Code).
4. This permit only applies to the tenant space currently occupied by Occasions Too! and shall not apply to any other business in the overall shopping center. If additional space within the shopping center is combined with the Occasions Too! business a new provisional use permit would be needed.

5. The installation of pay phones and the installation and operation of skilled video games are prohibited.
6. The applicant/owner/operator must be responsible for the installation, operation, and maintenance of a functioning security camera and video system of professional grade and quality and rated for surveillance of interior and exterior operations. The security cameras must, at minimum, include:
 - a. Exterior surveillance must monitor all entrance(s), parking area(s), and other areas deemed necessary by the Crime Prevention Unit of the Division of Police. Such security cameras must provide clear imagery of the establishment's patrons and their vehicles.
 - b. Recording of all activities under surveillance must be preserved for a period of one (1) month by the applicant or owner/operator. Authorized representatives of the Henrico Police Division must have full and complete access to all recordings upon request.
 - c. Exterior cameras must connect to Henrico County's Real Time Crime Center (Halo).
7. The applicant/owner/operator must provide adequate lighting for the entrances, exits, and parking areas that service the use or location. "Adequate lighting" means lighting sufficient for clear sight, visual identification of individuals, and useful for security camera surveillance without infrared enhancement.
8. The owner or operator must not permit loitering on the premises during hours of operation and all patrons must leave the premises and parking areas immediately after the close of business.
9. Prior to operation, the applicant/owner/operator shall submit a paper and digital copy of a Crime Prevention Through Environmental Design (CPTED) Plan for review and approval by the Chief of Police. The CPTED Plan must contain the information below.
 - a. Standard operating procedures pertaining to employees, facility security, security personnel and all other crime prevention measures (including: a security alarm, placement and views of interior and exterior security cameras, physical security measures (door locks, hinges, access control (ex. keycard access)), landscaping, lighting, etc., and describes how the CPTED Plan is designed to reduce crime from occurring during hours of operation.

- b. Trespassing enforcement authorization for the Henrico County Police Division, including the placement of "No Trespassing" signage.
 - c. Prior to operation, the applicant/owner/operator must meet with the Henrico County Police Division to ensure security measures are installed and operating as described in the approved CPTED plan.
10. Store windows must not be tinted or obscured by advertisements, posters, blinds, and/or visual obstructions that inhibit or hinder exterior surveillance.
 11. This Provisional Use Permit shall expire on August 31, 2027. Prior to its expiration, the applicant must apply for a new provisional use permit subject to a review of operations and compliance with these conditions. Should evidence (i.e. phone calls to the premises, complaints from other businesses, criminal assaults, narcotic or firearm violations, etc.) or registered complaints (i.e. increased public nuisance, loitering, excessive noise, etc.) prior to this date indicate operation of the indoor recreation use is having adverse effects on the area, the Board of Supervisors may hold a public hearing to consider revoking the PUP or amending all or some conditions.
 12. At least one (1) uniformed security officer who is license by Virginia Department of Criminal Justice Services (DCJS) or Henrico County off-duty police officer shall be on duty during hours of operation. The officer shall periodically monitor the exterior of the premises as well as the interior for possible criminal activity.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

198-26
REZ-2026-
100916
Fairfield

Imperial Investments Group LLC: Request to conditionally rezone from R-6C General Residence District (Conditional) and B-3 Business District to B-3C Business District (Conditional) Parcels 784-760-2968 and 784-760-2885 containing 2.202 acres located at the northeast intersection of Magellan Parkway and Brook Road (U.S. Route 1).

Kate Lafayette, representing the applicant, noted the original request of the rezoning to commercial use. They sent out information to the surrounding community and explained they heard back from two residents. After meeting with the Planning staff and the applicant, they are proffering out intense uses based on the feedback from the neighbors and limiting the hours.

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

Mr. Cooper thanked the applicant for the work on this case but noted he still had several questions regarding the redevelopment such as specific uses for this property. He requested there be a stronger proffer to share the intended use of this property and referenced the prior request that had come forward for this parcel.

On motion of Mr. Cooper, seconded by Mr. Nelson, and by unanimous vote, the Board deferred this item to the October 13, 2026, meeting.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

199-26
REZ-2025-
102340
Varina

DRB III Trucking LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-2C General Industrial District (Conditional) Parcels 815-699-6667 and 815-699-8388 containing 5.938 acres located at the southeast intersection of Darbytown Road and Miller Road.

Ben Sehl with the Planning Department clarified the staff recommendation to the request noting staff was not opposed to the proposal, [at the request of Mr. Nelson], Mr. Sehl explained staff recognizes this property is in transition and noted staff is not in objection to the case because they understand the owner is working to make improvements. He also clarified the owner moves through the complete plan of development process because this gives staff the ability to work through buffering and other enhancements to the site and ensure this occurs. He also gave an overview and history of the site.

Randy Hooker, representing the owner Donnie, noted he does own a small trucking business and noted he did his due diligence with the property by working with Planning when he decided to purchase the property. He also agreed to connect to the utilities and the expense he will incur by doing this. Donnie explained that the highest number of trucks on the property are three trucks and 15 trailers. There is grass in the back area with a small garden. He explained he will do everything they have requested in the proffers to ensure his property is up to date.

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

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

1. **Use Restrictions.** Not more than 3,711 square feet of floor area may be used for storage, service, repair and garage use. And, not more than 1,515 square feet of floor area may be used for office use.

The following M-2 Use Categories shall not be permitted; Agricultural Support and Services, Day Care, Educational Facilities, Funeral and Mortuary Services, Government Facilities, Health Care Facilities, Parks and Open Areas, Transportation, Utilities (other than Communications), Adult Uses, Animal Care – Grooming, Eating Establishments, Recreation and Entertainment Indoor, Recreation and Entertainment Outdoor, Retail Sales and Services, Visitor Accommodations, Extractive Industry, Industrial Services, Automobile filling station, Commercial fuel depot, Manufacturing and Production, Warehouse and Freight Movement (other than Mini-warehouse, Self-service storage facility and Outdoor storage) and Waste Related Services.

2. **Building Elevations.** The siding material used on the buildings shall be one or more of the following materials, (above finish grade and exclusive of trim): brick, brick veneer, parged concrete block, glass, vinyl siding, architectural grade metal panels, unless different architectural treatment and/or materials are specifically approved, at the time of Plan of Development. The building elevations depict existing features, as well as proposed (PRO.) improvements. The building elevations are shown on plans titled, Office Building Elevations, Garage Building Elevations and Service Garage Building Elevations, dated March 17, 2026, last revised May 4, 2026, by Engineering Design Associates, a copy of which is attached hereto, as Exhibits 'B' 'C' and 'D', (see case file).
3. **Landscaped Areas.** A Transitional Buffer 50 and Transitional Buffer 35 are shown across from Agricultural and Business zoned properties. Additional evergreen plantings shall be provided to fill void areas in the buffer as determined appropriate by the Director of Planning at time of Landscape Plan review. The buffers are shown on plan titled, Conceptual Layout Plan, dated November 8, 2024, and revised on May 4, 2026, by Engineering Design Associates, a copy of which is attached hereto, as Exhibit 'A', (see case file).

The aforesaid landscaped areas should be provided to the extent of the necessity for or allowance for utility easements, grading, drainage, signage and access driveways and other purposes requested and specifically permitted, or if required at time of Plan of Development review. Any new utility easements or use permitted within the aforesaid landscaped areas should be extended generally perpendicular to the landscaped areas unless otherwise requested and specifically permitted or if required at the time of Plan of Development review and, where permitted, areas disturbed for utility installation should be replanted to the extent reasonably practicable.

4. **Screening.** The outdoor storage area will be screened with a combination of an opaque fence, existing vegetation and/or additional evergreen landscaping. A 32' double leaf gate will be provided at the entrance drive aisle. An interior 26' double leaf gate will be provided at the entrance drive to the gravel storage lot. The fencing is shown on plan titled, Conceptual Layout Plan, dated November 8, 2024, and revised on May 4, 2026, by Engineering Design Associates, a copy of which is attached hereto, as Exhibit 'A', (see case file).
5. **Signage.** Any freestanding sign will be monumental in style with base materials consistent with the buildings on the property and not exceed ten (10) feet in height, and if lighted, must be internally lit so that there are no freestanding spotlights or any type of individual lighting structure. The sign message, if illuminated, must be illuminated from within the sign structure. The only signage permitted on the Property should be the aforementioned freestanding sign(s) and the attached signage on the building directional signs, and menu boards, all to the extent allowed by the zoning ordinance.
6. **Loudspeakers.** No outside pagers or loudspeakers will be permitted on the Property.
7. **Hours of Construction.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, will be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and 7:30 a.m. and 5:00 p.m. on Saturday, except in emergencies, or where unusual circumstances require extending 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 must be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.
8. **Hours of Operation.** The hours of operation for all uses of the property will be between 7:00 am and 7:00 pm daily.
9. **Trash Pickup, Parking Lot Cleaning, Leaf Blowing.** Trash pickup, parking lot cleaning and leaf blowing on the property will be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday.
10. **Severance.** The unenforceability, elimination, revision, or amendment of any proffer set forth herein, in whole or in part, will not affect the validity or enforceability of any of the other proffers or the unaffected part of any such proffer.
11. **Best Management Practice.** Any permanently wet above-ground Best Management Practice structure must include an aeration feature to move water within such structure.

12. **Underground Utility Lines.** All utility lines on the Property will be underground, except for existing utilities, junction boxes, meters, utility lines in wetland areas and utility lines required to be above ground by the utility company.
13. **Building Finishes and Materials.** The existing building finishes of 2601 Darbytown Road consist of a combination of parged concrete block and parged brick, the exterior accessed restrooms with metal siding and roofing. The existing garage building finishes consist of metal siding and roofing, with affixed wooden doors and trim. A new overhead metal door will be installed on the southern elevation. Lean-to carports will be added to the eastern and western building elevations.

The existing building finishes of 2621 Darbytown Road consist of brick and vinyl siding and asphalt shingle roof. Areas missing or having damaged vinyl siding will receive similar materials.

14. **Darbytown Road and Miller Road Right-of-Way Dedications.** Prior to any Plan of Development approval, right-of-way dedication to the ultimate cross section of Darbytown Road and Miller Road shall be dedicated, free and unrestricted, to and for the benefit of Henrico County. Should the dedicated property not be used for its intended purpose within thirty (30) years of the date of dedication, title to the dedicated property shall revert to the owner or its successors in interest. The removal of the existing asphalt, at the southeastern corner of Darbytown Road and Miller Road, along the frontage of 2601 Darbytown Road will be coordinated with Henrico County DPW road improvements.
15. **Sanitary Sewer.** The existing sanitary sewer, in Darbytown Road, will be extended, approximately 250 linear feet, from manhole #122NW202, to the eastern side of the intersection of Miller Road. The existing service (storage) building and the existing dwelling will be connected to the sanitary sewer extension. Due to the depth of the existing sanitary sewer, an exception will be required from Public Utilities for the 5.5' minimum cover requirement.
16. **Plan Approvals.** To ensure all necessary site improvements are completed to fully satisfy all open zoning violations, regulatory requirements, and proffered conditions, the owner/operator must file and receive approval of a Plan of Development, including subsequent construction plans and building permits for this property, and construct them per the approved plans, prior to the issuance of a business license and any related Certificate(s) of Occupancy. Unless otherwise determined by the Director of Planning, the Plan of Development must include details related to landscaping, lighting, fencing, drainage, and building improvements.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

Agenda Item **Public Hearings – Other Items**

200-26

Ordinance - To Amend and Reordain Section 22-43 Titled "Reserved" of the Code of the County of Henrico to Allow the Use of Photo Speed Monitoring Devices in School Crossing Zones.

Mrs. Roundtree reviewed the state code noting where these cameras are allowed and we are only looking at cameras within certain school zones.

Lt. Matt Pecka with the Police Division responded to the timing when the cameras would be in use, which is during the hours the lights are flashing in the school speeding zones.

Mr. Nelson explained if there is a way to have the cameras in use during the hours when there are highly attended after-hours events. He stated there was a football game Friday night at Highland Springs and the game was sold out so there were thousands of people in attendance and after the game walking across the street to their vehicles. He was concerned watching people trying to get across Airport Drive.

Eric English, Chief of Police, explained they can work with their partners at school to have the lights flashing during high attendance after school events.

Mrs. Roundtree asked for clarification on how the tickets will be issued and who will be validating the information. Lt. Pecka explained the vendor would verify the photo and checking it with the Department of Motor Vehicles (DMV) and verifying the registration information and then it would come to the Police Division to verify the information as well before sending out the ticket. She clarified what happens if the individual doesn't pay the fine or show for court. Lt. Pecka explained the Division will have the option to do a DMV hold if the ticket isn't paid. He also noted they will work with Public Relations to get the information out to the community about the speed cameras and what to look for if they receive a bill.

Chief English also clarified they are not Flock cameras. The data will only be used by the Police Division, will not be shared, and will only be used for the purpose of speeding in a school zone when the lights are flashing. There will be no third-party sharing and noted the plan is to have all the high schools with speed cameras and two middle schools, Fairfield and Tuckahoe, and the plan would be to include all schools. Mr. Vithoukas clarified they have identified some schools that are in neighborhoods that would not require the speed cameras.

Mrs. Roundtree also expressed concerns about the \$100 fine and the implications it could have on an individual if presented with this fine. Chief English explained there are options they can look at regarding the fee and noted if an officer were to stop you for speeding in a school zone the implications and the fine would be much higher.

Mr. Schmitt explained he had no questions and felt the Board was fully briefed during the work session. He is in full support of making sure students are safe and safely cross the street and making sure individuals are slowing down in a school zone and noted the County doesn't have the resources to have police officers at every school or having a crossing guard. He also noted protecting the data and making sure this information is only with our local Police Division, and he agreed with Mr. Nelson on activating the flashing lights during high impact after-hour events. He applauded the work on getting the speed cameras and feels airing on the side of protecting our residents in crossing the street or in a school zone area.

Mr. Rogish requested the number of tickets that have been issued in a school zone. Lt. Pecka noted in school year 23 it was 487; in 24 it was 700; in the current year and to date they have issued 355 tickets. Mr. Rogish agreed with having the lights flashing during high impact events and encouraged residents to read the code and get a complete understanding.

Mr. Nelson noted anything the County can do to deter speeding and agrees with the \$100 fine and feels it will deter speeding and requested the Manager and the Chair to work with our school counterparts on having the flashing lights on during high impact events.

The following individuals spoke regarding this item:

- Victoria Crawley, a resident of the Fairfield District, noted she supports acting in reducing speeding around our schools and believes the cameras will help but doesn't feel it is enough particularly on Azalea Avenue. She noted she has hours of video footage documenting the speeding and drivers not stopping at the crosswalk area and noted she spends hours helping students cross the street. She noted they already have flashing pedestrians lights and drivers ignore it, and installing the speed cameras being installed but wants the Board to actually look at what else can be done to ensure safe pedestrians crossing and requested the Board do an overview of all school zones and requested a comprehensive safety assessment of the entire Azalea Avenue corridor.
- Michael Keegan, a resident of the Three Chopt District, questioned where the data will be stored, who will be using the data, and what agencies will have access to the data and noted Flock cameras.

- Sarah Ramsey, a resident of the Tuckahoe District, spoke via Webex and voiced concerns about the data the cameras collect and how it will be used.
- Katie Albright, a resident of the Varina District, spoke via Webex and voiced concerns about Flock Cameras and where the data is being used and stored and noted he lives on a state highway that is not considered in a school zone.

Lt. Pecka clarified at the request of Mr. Cooper noting passing cars will not be captured during a non-flashing light time zone. It would only be capturing vehicles that are speeding in a school zone when the lights are flashing. He also clarified the information is not being stored in a huge database that will be shared. It will only be seen and used by the Police Division.

Mr. Nelson noted he understands the concerns about Flock cameras and agree they do target more black and brown people but feels the speed cameras are not Flock and will not be used as such.

Mrs. Roundtree wants to make sure we understand the difference between Flock cameras and the speed cameras and doesn't want the two to be combined and feels there is a need for a conversation about Flock cameras, but this is not what the speed cameras are. The information will not be used for improper purposes, and the information will only be with our Police Division and made sure it covers the details of the statute the code permits.

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

201-26 Resolution - Condemnation - Easements - Mount Olive Avenue
Realignment Project - 8825 Trolley Lane - Fairfield District.

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

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

202-26 Resolution - Condemnation - Easements - Mount Olive Avenue
Realignment Project - 8831 Trolley Lane - Fairfield District.

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

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

183-26 Resolution - Declaration of Surplus Property - Signatory Authority -
Conveyance - 2510 Hartman Street - Fairfield District.

Mr. Vithoulkas noted this item was deferred from the Board's August 11, 2026, meeting.

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

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board deferred this item to the October 13, 2026, meeting – see attached resolution.

The vote of the Board was as follows:

Yes: Cooper, Roundtree, Schmitt, Rogish, Nelson

No: None

194-26

Ordinance - To Amend and Reordain Section 23-117 Titled "Restricted wastes," Section 23-118 Titled "Reserved," Section 23-150 Titled "Violations," Section 23-154 Titled "Applicability of categorical standards," and Section 22-164 Titled "Reserved" of the Code of the County of Henrico to Update Maximum Discharge Limits, Establish Requirements for PFAS Discharge Monitoring, and Conform to Federal Regulations.

Mr. Vithoulkas noted this item was deferred from the Board's August 25, 2026, meeting to allow for the DEQ hearing. Bentley Chan, Director of Public Utilities, noted the public hearing comment period has closed, and there was no information or feedback from DEQ.

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

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

Public Comments

Mary Morrissey, a resident of the Tuckahoe District, voiced concerns about HVAC systems in the schools and requested the Board work with the School Board to find a solution to fix the issues.

Rai Beasley, Phillip Jordan, and a member of Sixth Mount Zion Baptist Church requested the presence of the Board at the 100 Men Challenge on September 17 at Virginia Randolph School.

Greg Kontos, a resident of the Tuckahoe District, requested the Board work with VDOT on speed limits along Parham Road and Patterson Avenue.

Patrick Oxenham and members of the Lakeside community introduced themselves to the Board and requested the Board's help in establishing the Lakeside Community Council.

Sarah Ramsey, a resident of the Tuckahoe District, spoke via Webex with concerns about fluoride in the County's water system.

Katie Albright, a resident of the Varina District, spoke via Webex with concerns about Flock Cameras and requested the Board consider removing them.

<u>Agenda Item</u>	<u>General Agenda</u>
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203-26	Introduction of Resolution - Receipt of Requests for Amendments to FY 2026-27 Annual Fiscal Plan - September 2026.
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On motion of Mr. Nelson, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached introduction of resolution.

There being no further business, the meeting was adjourned at 9:07 p.m.


Chair, Board of Supervisors
Henrico County, Virginia