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Henrico County Board of Supervisors Regular Meeting, Tuesday, January 9, 2024

Date Tuesday, January 9, 2024
Place Henrico County Board of Supervisors, Virginia
Length 1h 8m (video)

- Official meeting video (Swagit): <https://henricocountyva.new.swagit.com/videos/295144>
- Official agenda (Henrico County): <https://henrico.gov/pdfs/manager/meetings2024/010924ag.pdf>
- Official minutes (Henrico County, regular meeting): <https://henrico.gov/pdfs/manager/meetings2024/010924regmins.PDF>
- Agend-O-Gram, Jan 23, 2024 (records the Board's approval of these minutes): <https://henrico.gov/pdfs/manager/meetings2024/1-23-24Agend-O-Gram.pdf>

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[00:00:11] Ladies and gentlemen, we welcome you to our January the 9th, 2024 Board of Supervisors meeting. I'm going to ask that you join us by standing as we recite our Pledge of Allegiance and then asking Reverend Janetta Lee, chaplain for the Henrico County Division of Police, to give us our opening invocation.

[00:00:45] Blessing of today. At this first meeting in 2024, we thank you for new, everything new.

[00:01:05] new opportunities, new mercies, new provisions. We ask you to guide our leaders, give them wisdom and support to carry out the work you put their hands to, bless their families and households as they serve.

[00:01:22] May we grow closer together in community, stirring up one another to love and good works, and continue to remind us that all that we do, all that we accomplish is for the greater glory of you and for the service of humanity.

[00:01:39] We ask these things in your name. Amen.

[00:01:58] Welcome to the Enrico County Board of Supervisors meeting for January 9th.

[00:02:27] When there are moments for public comments, we ask that you give them from the lectern in the back. For everyone who's watching the live stream of tonight's meeting on the county website, you can participate remotely in the public hearings and public comment portion of the meetings.

[00:02:44] Go to the Board of Supervisors webpage at henrico.us forward slash supervisors. Click on Guidance for a Board of Supervisors meeting. Scroll down and click on the WebEx event and a moderator will let you know when it is your turn to speak.

[00:03:04] Mr. Manager. Mr. Chairman, we have a request for the approval of minutes from the regular and special meetings of December 12th, as well as the special meeting of December 14th, 2023. Motion would be in order, sir. Motion is made by Mr. Smith.

[00:03:24] I'll second it. second by myself um all in favor say aye oh i'm sorry um yes all in favor say aye any opposed um motion has passed mr chairman i have or mr vice chairman i have no comments this evening all right are there any comments from my fellow colleagues any board of supervisors comments all right i don't see um ben do we have any media i don't think we no media here

[00:03:57] with us in the room but i'm sure that they are watching online so thank you guys for covering us those of you who are mr manager i turn it back over to you mr chairman members of board we as we begin first board meeting of the 2024 calendar year i'd like to wish everyone a happy new year this is the first board meeting of a new board and the first item that a new board has is the election of its chair and in this case ladies and gentlemen our county attorney is going to guide us through that election. Mr. Newby. Thank you, Mr. Manager. It is indeed my pleasure

[00:04:35] and privilege to conduct the election of the chairman of the Board of Supervisors for calendar year 2024 and thereafter when his or her successor is elected and qualified. To begin, we'll open it up for nominations. Are there any nominations for chairman to the Board of Supervisors? Mr.

[00:04:52] County Attorney, I'd nominate Mr. Tyrone Nelson of the Verona District as chair. Is there a second to the nomination second are there any further nominations hearing no further nominations i declare the nominations closed i will now call for a motion on resolution 1-24 nominating mr nelson as chairman so moved thank you i've heard a motion is there a second second all in favor say

[00:05:19] aye all opposed congratulations mr nelson the resolution passes good evening i want to thank

[00:06:11] my colleagues, Mr. Smith, Ms. Whitehead, Reverend Cooper, Mr. Rogish, for your votes of confidence, allowing me to serve as the board's chair for calendar year 2024. It's truly an honor and privilege to serve our community in this way. It was 12 years ago, and it seems just like yesterday, when I took office as the newly elected Verona District Supervisor. In 2012, I came to the board with four supervisors who had between 16 to 28 years

[00:06:46] of experience each. I call 2012 my rookie year. Candidly, it may have taken me a few years to learn all that our county actually does to serve our residents and serve our community. It was my drinking from the fire hose time. But working closely with staff and my colleagues, I began to understand and appreciate the what of local government and serving as an elected representative.

[00:07:13] My more experienced colleagues help me as much as they could and to our new supervisors. I pledge, and I'm sure Dan does and agrees with me, we will do all that we can to help you succeed in your

new roles because this is just what we do in Henrico.

[00:07:31] 2024 represents a great moment in history and a great opportunity for our county. I use the word opportunity intentionally. Three new supervisors, we will undoubtedly have fresh perspectives, new strategies, new thoughts, new ideas for how to best serve our community. I will urge us, all of us, as supervisors, staff, and community, to embrace the moment that we have and take time to listen, understand, and appreciate what each of us brings to the table. We can do this, and we will do this, because we all take

[00:08:08] seriously the call to serve our residents, serve the residents of this great county. This moment is both exciting and challenging. There's optimism because we don't walk into a kitchen with bare cupboards. The foundation in Henrico is solid. Respect to the past several decades of board members, Dave Cackley, Tommy Brannon, Patricia O'Bannon, who is here with us supporting us tonight, Frank Thornton, Jim Donati, and Mr. Glover, Dick Glover. Henrico County is in a

[00:08:43] good place. Our challenge and our duty will be to build upon that foundation. Our finances are solid. Honestly, the finances are in a great place. We are one of the strongest, best managed localities in the Commonwealth and possibly in the country. Our economy supports the second highest number of jobs in the Commonwealth behind only Fairfax County, which is four to five times larger than us. Our gross county product, that's the GCP, was \$432 billion in 2023. If we were a

[00:09:20] country, our economy would be the 99th largest in the world. Think about that. Our reserves, that's the rainy day fund, are the highest in our history at \$476 million. We have the highest possible bond rating, AAA, and our credit rating is better than the United States and much of the industrialized world. Our tax burden is the lowest of the largest localities in the Commonwealth. That is the total tax burden. We were the first locality to give our residents a real estate tax rebate and the

[00:09:53] first to follow up with a second one. Under this initiative, we provide \$11.2 million in tax relief. This commitment to excellent and outstanding service permeates our institution. This is what separates us, a commitment to professionalism, top-of-the-class customer service, and a spirit of high-quality work. Our departments exceed accreditation standards. Many of them have.

[00:10:22] To cite just a few, mental health, libraries, recreation and parks, sheriff, fire, police, public utilities, emergency communication, and social services all hold the highest levels of accreditation. This means that they are recognized by their peers as among the best of the best.

[00:10:40] We've committed and we are committed to attracting and retaining the best, most service minded workforce from our frontline employees to our departmental and executive leadership teams. We have the most we have the most effective, engaged and diverse workforce in our county's history, but we are still hungry and focused on being better.

[00:11:03] And there's more that we can do, more that we must do when it comes to engagement with our residents, when it comes to engagement with our stakeholders. And our commitment to doing everything possible to serve the residents. We have an incredible story to tell about all that we are doing to serve them.

[00:11:25] Mr. Manager, I want to challenge you and the staff to go above and beyond to share our full story in 2024. Let's talk more about our schools, public safety, recreation and parks, social services, mental health libraries, community revitalization efforts, public works and utilities, and all of the other

departments that are doing significant work here to make Enrico County better. Let's talk about the work that we are doing with the environment. This includes significant land acquisitions that have been made to preserve open space and to enhance what we are doing as stewards of the environment.

[00:12:02] Malvern Hill and Wilton Farm are just two examples of vast historical properties that have been purchase for preservation and education for generations to come. I'm not sure there's another community on the East Coast that can match what we do in that regard. And stay tuned, next week brings another historic preservation announcement. Our environmental efforts have tremendous momentum and they are coalescing around Henrico's Environmental Action Resource Team, or HEART.

[00:12:32] We are planting trees to reforest public lands, restoring creeks and streams. We have funds set side to buy properties and flood plains we are working on wetland banks and carbon credits we've expanded mass transit to reduce commuter trips we've developed 20 miles of sidewalks 67 miles of trail and bike lanes with more on the way we're installing solar panels solar panels everywhere that we can on government buildings schools and closed landfills we are doing everything that we can to save our taxpayers many, many millions of dollars over the next 25 years. I recently heard

[00:13:10] you say, Mr. Manager, when you were talking to a group that Henrico expects its agency has to be humble and to be great. I agree with that mantra 100%, but with an important addition. As we begin this journey together as a board and as a community, let's strive to make 2024 a banner year for that level of engagement. Let's inspire to be more connected with our residents, with our stakeholders, and commit to telling our story, the county of Henrico's story. Let's continue to engage with

[00:13:45] our community and create the most welcoming place for them to participate and provide input. This is the essence of democracy. It's a new day because there's a new board. However, we must continue to govern with a heart, with community engagement at its center.

[00:14:04] This job is not easy. It takes the thoughts and voices of both electeds and residents to make this work. To my colleagues, again, I want to say thank you for your vote of confidence, for your willingness to serve, and your commitment to Henrico County.

[00:14:21] By working together with our team, we continue to make our county the best possible place to live, work, play, and visit for everyone. Thank you very much. Item 2-24 is a resolution for election of vice chairman.

[00:14:53] This board paper would elect the vice chairman of the Board of Supervisors for a one-year term that would expire December 31st, 2024. Mr. Chairman. All right. It's my pleasure and privilege to conduct the election of the vice chair. Are there any nominations?

[00:15:10] Nominate Mr. Schmidt. All right. Mr. Dan Schmidt has been nominated. Is there a second to the nomination? I second Mr. Schmidt. All right. Motion has, I mean, nomination has been made and second. are there any other further nominations hearing none i declare the nomination closed i will now call for a motion on resolution 2-24 nominating dan smith as vice chairman is there a second second all in favor say aye aye any opposed say no resolution passed congratulations mr vice

[00:15:48] chairman dan smith as the board goes through a number of resolutions you'll see appointments

[00:16:48] being made tonight as your name is called the clerk's going to ask you to come forward be sworn in the board of supervisors would also like to thank you for serving on these boards and commissions this is very difficult work that is being asked of you so they are asking that you come after you're sworn in come back and they they recognize you and say thank you personally so let us begin the year 2024 with a resolution agenda item 3-24 that establishes the dates times

[00:17:22] and location of regular meetings of the board for 2024 this board paper will establish the regular meeting schedule for 2024 except for july november and december the board will meet on the second and fourth tuesday of every month in july and november the board will meet only on the second Tuesday of the month in December the board will meet on the first and third Tuesday of the month a significant change if you will in the meeting time in that all regular meeting times will begin at 6:00 p.m. with one exception the first board meeting in April which is the budget public hearing will begin at

[00:18:02] five o'clock to accommodate the that item mr. chairman all right is there a motion to accept the resolution all right moved by mr smith need a second second all right second by reverend cooper questions comments concerns if not all in favor say aye aye any opposed all right motion passed mr manager next mr chairman agenda item 4-24 is a resolution for appointment of members to the henrico county planning commission this board paper appoints the following persons to the planning commission for one-year terms that expired december 31st

[00:18:40] 2024. From Brooklyn, from the Brooklyn District, Mr. Robert H. Witte Jr., Fairfield District, Jerron Dandridge, Three Chop District, Bob Shippey, Tuckahoe District, Brian Winterhoff, Verina District, William M. Mackey Jr., and the representative from the Board of Supervisors is Tyrone E. Nelson. Mr. Chairman. All right. Is there a motion to accept these members to the the Ricoh County Planning Commission.

[00:19:08] So moved. Say a second. Second by Reverend Cooper. I mean, motion made by Reverend Cooper. Second by Mrs. Whitehead. All in favor? Aye. Opposed? All right, thank you. Everybody that was named, come on up and sign your life away.

[00:19:29] Planning Commission, according to the best of my abilities, so help me God.

[00:20:13] Mr. Mitchell.

[00:21:20] Mr. Chairman, agenda item 5-24 is a resolution for appointment of members to the Plan RVA Commission. This board paper will appoint the following board members to that commission for four-year terms. It would expire December 31st, 2027.

[00:21:36] They are all from the Board of Supervisors, Roscoe D. Cooper, Tyrone Nelson, Jody K. Rogish, Daniel J. Schmidt, and Misty D. Whitehead. This board paper also appoints the chairman of the Henrico County Planning Commission to the Plan RVA Commission for a term coincident with that service.

[00:21:56] Mr. Chairman. All right, is there a motion to accept the resolution? All right, is there a second? Second. All right, moved by Mr. Smith, seconded by Mr. Rogish. All in favor, say aye. Aye. Any opposed? Nay.

[00:22:12] You want us to just stand up right here?

[00:22:39] Agenda item 6-24 is a resolution for appointment of members to the Board of Building Code Appeals. This board paper adds a 10th member to the Board of Building Code Appeals. The new member

will be known as the citizen representative and will have at least five years of experience with building projects in the county.

[00:23:01] That citizen representative that is being named is Patricia S. O'Bannon, in addition to electrical contractor Keith Ole and residential builder William Edward Gude, Jr. Mr. Chairman. Second.

[00:23:22] Cooper, second. Mr. Rogish, all in favor say aye. Any opposed? Thank you.

[00:23:39] charge and perform all duties incoming upon me as a member of the Board of Building Code Appeals. We're going to the best of my ability, so help me guide us.

[00:24:29] Mr. Manager.

[00:25:13] Mr. Chairman, we move on to a resolution, Agenda Item 7-24, appointment of members to the Board of Real Estate Review and Equalization. This board paper would appoint the following persons to that board for a one-year term. From the Brooklyn District, Joseph P. Marchetti. From the Three Chop District, Robert W. Marshall. From the Tuckahoe District, John J. Schwartz.

[00:25:37] and from the Verona District, Norma B. Harris. Mr. Chairman. Is there a motion to accept the resolution? Is there a second? Second. All right. Motion has been made by Ms. Whitehead, seconded by Mr. Rogan.

[00:25:55] All in favor say aye. Any opposed? Thank you. If you all would come forward.

[00:26:23] Chairman, agenda item 8-24 is a resolution for appointment a member,

[00:27:34] in this case to the Board of Social Services. This board paper would appoint Ms. D.D. Whitehead, member of the Board of Supervisors to that board for a term coincident with her term of office on the Board of Supervisors. Mr. Chairman. Is there a motion to accept the resolution? Mr. Chairman, move the resolution. Is there? Okay, so let me just say, I'm not going to say is there a second every time. Y'all just second it for me. All right, so there's a motion. So Dan made the motion, Mr. Smith made the motion, Mr. Rogan seconded. All in favor say aye. Aye. All right, any opposed?

[00:28:10] Thank you.

[00:28:33] Item 9-24 is a resolution for appointment of members to the Capital Region Airport Commission. Board paper would appoint following individuals to that commission for four-year terms that expire December 31, 2027. From the Board of Supervisors, Roscoe D. Cooper.

[00:28:52] Also from the Board of Supervisors, Tyrone Nelson, Citizen, Bobby S. Ucrop, and at-large Misty D. Whitehead. Mr. Chairman. is there a motion to accept and a second second all right motion made by reverend cooper second

[00:29:09] by mr smith all in favor say aye in the opposition thank you chairman agenda item 10-24 is the

[00:30:26] resolution for appointment of member and alternate to the capital region workforce partnership consortium of chief elected officials this board paper would appoint daniel j schmidt a member of the board to that body for a term that ends december 31st 2024 it also appoints deputy county manager Monica Smith Callahan to the consortium as the county's alternate for a one-year term that would expire December 31st, 2024. Mr. Chairman. All right, is there a motion and a second? All right, motion made by Mr. Whitehead, second by Reverend Cooper. All in favor say aye. Aye. Any opposed?

[00:31:06] Motion passed. Thank you. Chairman, it's your item 11-24 is a resolution for appointment of members

[00:31:53] and alternates to the Central Virginia Waste Management Authority Board of Directors. This board paper appoints the following persons to that board for a three-year term and they are citizen at large marcia kelly citizen at large marilee tretina citizen at large john mitchell alternate bentley chan alternate joshua byerly alternate jonathan clary mr chairman is there a motion to accept this resolution and a second so moved all right motion made by mr roger second

[00:32:30] by Mrs. Whitehead. All in favor say aye. Aye. Any opposed? Motion passed. Thank you. And if you all would come forward, please.

[00:34:24] Mr. Chairman, agenda item 12-24 is a resolution in this case for resignation of member from the Community Criminal Justice Board. So this paper would accept the resignation of Carrie Amtretina from that board as a representative from the Henrico Board of Supervisors. Mr. Chairman.

[00:35:02] Is there a motion to accept this resolution in a second? Motion made by Reverend Cooper, seconded by Ms. Whitehead. All in favor say aye. Aye. Any opposed? Motion passed. Mr. Mangi. Next, Mr. Chairman, 13-24 would appoint a member to the Community Criminal Justice Board, and this board paper would appoint Mike Finemal, a representative of the Henrico Board of Supervisors, to that board.

[00:35:27] Mr. Chairman. Is there a motion to accept? I'm sorry, is there a motion to pass this resolution in a second? So moved. All right. Motion made by Mr. Rogish, seconded by Mrs. Whitehead. All in favor, say aye. Aye. Any opposed? Motion passed.

[00:35:44] Thank you. Mr. Mandra. Oh, no. Yes. There he is. We see him. Oh, yes.

[00:36:04] All dues and coming upon me as a member to confess my abilities. 24 is a resolution for appointment of a member, in this case, the Greater Richmond Partnership Board of Directors.

[00:36:32] This board paper would appoint Jody K. Rogish, a member of the Board of Supervisors, to that body for an unexpired term ending June 30, 2024. Mr. Chairman. Is there a motion and a second? Second. All right, motion made by Reverend Cooper, second by Mr. Smith.

[00:36:50] All in favor say aye. Aye. Any opposed? Motion passed.

[00:37:04] 15-24 is a resolution for appointment of members eligible to serve as a third member of employee grievance panels.

[00:37:29] This board paper would appoint the following individuals to serve as a third member on those panels for one-year terms. They are from the Brooklyn District, Danielle Harris and William E. Lowe, from the Tuckahoe District, Joe Raposarda and Elizabeth Smyers, from the Verona District, Carlos L. Chacon, Jr., and Erica Mosley.

[00:37:51] Mr. Chairman. Is there a motion to pass this resolution and second? All right. Thank you. Motion made by Ms. Whitehead. Second by Mr. Smith.

[00:38:07] All in favor say aye. Aye. Any opposed? Motion passed. Thank you. And, Mr. Chairman, just as a point of information, because of the role that these individuals play, they are not sworn in. So, we would move on to Agenda Item 16-24, which is a resolution for appointment of members to the Henrico Area Mental Health and Developmental Services Board.

[00:38:29] This board paper would appoint the following individuals for three-year terms that expire December 31, 2026. Family Consumer Karen W. Grizzard Family Consumer Serenity Kirby Family Consumer Karen E. Matz Mr. Chairman Is there a motion and a second?

[00:38:49] So moved Motion made by Mr. Rogish Second by Mr. Smith All in favor say aye Aye Any opposed? Motion passed Thank you

[00:39:02] Chairman

[00:40:26] Next agenda item 17-24 Is a resolution for appointment a member To the Henrico County Association Of Volunteer Rescue Squads This board paper would appoint Jody K. Rogish A member of the Board of Supervisors to that body is a non-voting member for a one-year term that expires December 31st, 2024.

[00:40:46] Mr. Chairman. Is there a motion and a second? All right, motion by Mr. Smith, second by Ms. Whitehead. All in favor say aye. Aye. Any opposed? Hearing none, the motion passes.

[00:41:01] Thank you. Next, Mr. Chairman, we have an agenda. Oh, I'm sorry. That's not right. Chairman, next item is 18-24.

[00:41:32] In this case, a resolution for a resignation of a member from the Henrico Housing Advisory Committee. This paper would accept the resignation of Michael J. Polychromes from that committee. Mr. Chairman. Is there a motion and a second? So moved.

[00:41:49] Motion made by Mr. Roker, seconded by Mrs. Whitehead. All in favor, say aye. Aye. Any opposed? Hearing none, motion passes. Thank you. Next, Mr. Chairman, agenda item 19-24 is a resolution for appointment of members to the Henrico Housing Advisory Committee.

[00:42:07] This board paper would appoint the following to two-year terms that expire December 31st, 2025. These are all at-large appointments. Constantine Canavos, Joshua A. Goldschmidt, Laura D. Lafayette, Dana M. Markland, and Timothy M. Parent.

[00:42:26] Mr. Chairman. Is there a motion and a second? Second. Motion made by Reverend Cooper. Second by Mr. Smith. All in favor say aye. Aye. Any opposed? Motion passes. Thank you. Okay, we've got one individual that's here.

[00:42:43] If you would come forward.

[00:43:32] Chairman, agenda item 2024 is a resolution for resignation of member from the Keepen-RICO beautiful committee. This paper would accept the resignation of Dan Chardain from that committee. Mr. Chairman. Is there a motion and a second? So moved, sir.

[00:43:49] And second. All right, motion by Mr. Smith, second by Ms. Whitehead. All in favor, say aye. Aye. Any opposed? Motion passed. Thank you. Next item on the agenda, 21-24 is a resolution for appointment of members to that same committee for two-year terms that expire December 31, 2025.

[00:44:11] They are from the Brooklyn District, Teresa Harris, Three Chop District, Mark M. Deutsch, from the Tuckahoe District, Nicole Bridge, Cabell Whipple, from the Verona District, Bland Godden, and Priscilla W. Woods. Mr. Chairman. A motion to accept and a second.

[00:44:30] Second. Motion made by Reverend Cooper, seconded by Mr. Rogish. All in favor say aye. Aye. Any opposed? Motion passes. Thank you.

[00:44:37] Next, Mr. Chairman, 22-24 is a resolution for appointment of members to the Library Advisory Board.

[00:46:40] This board paper would appoint the following individuals to that board and the terms would end December 31, 2024. From the Fairfield District, Valerie McBee. From the Three Chop District, Sushi Jane.

[00:46:57] From the Tuckahoe District, Sharon Cox. And from the Verona District, Gail Atkins. Mr. Chairman. A motion to accept and a second. So moved. Second. A motion made by Reverend Cooper. Second by Mrs. Whitehead.

[00:47:14] All in favor say aye. Aye. Any opposed? Motion passes.

[00:48:13] Next, Mr. Chairman, agenda item 23-24 is a resolution for resignation of member from the local emergency planning commission.

[00:49:16] this board paper would expect, accept the resignation of Daniel J. Schmidt from that body. Mr. Chairman. Motion to accept and a second. Second.

[00:49:38] I was thinking we were. Motion by Ms. Whitehead, second by Mr. Rogish. All in favor say aye. Aye. Any opposed? Motion passes. 24-24 would be a resolution to appoint a member to the local emergency planning committee and that board member would be an elected official, Ms. D.D. Whitehead, that would serve until December 31st, 2024.

[00:50:05] Mr. Chairman? Is that a motion to accept? Second. All right, good job. Second. That was quick. Motion by Mr. Rogan, second by Mr. Smith. All in favor say aye. Aye. Any opposed? Thank you. Motion passes. Next, Mr. Chairman. We're moving, though.

[00:50:24] We are? Yeah, we're moving. 5-24 is a resolution appointment of member to the Maymont Foundation Board of Directors.

[00:50:50] This board paper would appoint Roscoe D. Cooper, the third, a member of the Board of Supervisors to that body for a one-year term expiring December 31st, 2024. Mr. Chairman. Motion to accept and a second. So moved. Motion by Mr. Rogus, second by

[00:51:08] Ms. Whitehead. All in favor say aye. Aye. Any opposed? Motion passes. Thank you. Thanks, Mr. Chairman.

[00:51:30] 26-24 is a resolution for appointment of members to the Parks and Recreation Advisory Commission. This board paper would appoint the following individuals to that commission for three-year terms it would expire december 31st 2026 and they are from the three chop district vicas kapil from the tuckahoe district l francis brown this board paper also points misty d whitehead a member of the board of supervisors to the commission for a one-year term mr chairman is there a motion to accept and a second all right motion by reverend cooper second by uh mr smith all in favor say i

[00:52:08] any opposed motion passes thank you next mr chairman agenda item

[00:52:16] it's just gone i will next agenda item mr chairman is uh 27-24 resolution for appointment

[00:53:54] of member this is to the richmond region tourism board of directors this board paper would appoint todd parney parnell at-large stakeholder to that board for an unexpired term it would end

december 31st 2026. mr chairman mr chairman i enthusiastically make this motion second motion has been passed in a second all in favor say aye aye any opposed motion passes

[00:54:54] chairman uh gen item 28-24 is a resolution for appointment of representatives in alternate

[00:55:49] to the richmond regional transportation planning organization policy board this board paper would appoint the following individuals to one-year terms and they are elected official roscoe d cooper elected official jody k roguish and alternate elected official daniel j schmidt mr chairman so motion to accept in a second all right motion made by reverend cooper second by Ms. Whitehead, all in favor say aye.

[00:56:18] Aye. Any opposed? Motion passes. Thank you. Chairman, we move into public comments.

[00:56:48] This is the time where individuals may address the Board of Supervisors on any item which is not on the agenda. We do have two individuals that have signed up. One is Patrick Rice. Mr. Rice, are you here? Mr. Rice, are you on WebEx?

[00:57:07] No, sir, he is not. We also have Colleen Phelps. Ms. Phelps, are you here? Yes, ma'am. If you would, the podium is right behind you. Sure, absolutely. And actually, just stay here while you're doing your comments.

[00:57:26] Hi, everybody, and good evening. My name is Colleen Phelps. I live at 3817 Rupert Lane in the Three Chop District. My husband and I have been county taxpayers for 26 years. In that time, we have never sought county assistance, but that is why I am here today. My husband would have joined me, but he's traveling for work. This morning, I emailed you all photos and videos

[00:58:04] of what I'm about to discuss, and I've left copies with the clerk as well. Our property abuts the new Burley, B-U-R-L-E-I-G-H, construction project on North Gaten Road that is adjacent to the Manor House Assisted Living.

[00:58:20] We welcomed the development when it began, but with the first hard rain back in September, our yard was flooded with inches of sludge and water. The photos you have and the videos I've sent will illustrate all of this. We have had inches of sludge in our yard several times.

[00:58:40] We first brought in a crew to clean it up, but since then, whenever there is rain, anything heavier than a steady drizzle, the yard floods again with mud, sometimes before the crews have even finished cleaning up from the last one. This past Saturday, the rain came before they were done cleaning up from the rain before, and they had to start again at square one.

[00:59:04] We first attempted to solve the situation with the builder directly, Nancy Durnley of Youngblood Properties. She agreed that there is a problem, but said the runoff from her property is not her responsibility, it is ours. Her exact words were, this is causing a problem for you, not me. She said she would install a drainage solution on the property that she owns at our expense, up to \$10,000. We then went to the county for some help. County officials from the planning and public works departments have visited our property several times over the past four months and agree

[00:59:43] there is an issue coming from the construction site. The county has cited the builder twice for faulty sediment and erosion control, and while the builder addressed those citations through a temporary silt fence at the edge of her property, it has not stopped the flooding or the mud from coming into our yard. Henrico County approved a grading plan for this project. One of the people from the county that

came out to our house told us it is possible that the builder is not following what the county approved. What I would like to stress more than anything is that everyone that

[01:00:23] we have spoken to from the county has been very responsive and empathetic, although no one has been in a position to move forward with a solution. I'm hoping that that will change after my discussion this afternoon once I registered to speak with Mike Aust in Public Works. He visited the site today and is trying to organize a meeting between the county and the builder.

[01:00:45] We're hopeful he is successful because at this point we are concerned that without that there is no productive path forward that would resolve this problem in a timely manner. For the past four months we have continued to pay crews to clean up our yard every single time it rains. We now fill sandbags and line our fence line with double today triple sandbags. They are still overcome by water and mud and sediment flowing into our yard all while the construction just continues.

[01:01:24] Can you imagine how that feels to see your yard covered in sludge once again while watching the construction crews work and carry on as normal every single day? I would imagine that you could see how maddening this has been as a taxpayer.

[01:01:43] So I'm here asking for you to take two actions, the first being an absolute stop work order immediately for the development until this issue can be resolved. We believe that is the fastest way for the builder to address the issue that her construction has caused.

[01:02:02] Second, I am asking you to direct county officials to expeditiously and finally find a way to stop this flooding and erosion that should not be at our cost. My hope is that speaking to you tonight will help resolve this problem as soon as possible.

[01:02:18] I'm sure you can imagine the dread we feel every time that we see rain in the forecast today being a big one. To clarify, we've lived in this home for four years. Before the construction began, we never had a flooding issue. We've never had water in our yard.

[01:02:34] The videos I sent you today and the photos that I've given you clearly show the path of mud and water coming from the construction site. I welcome you all to visit next time it rains and you can see for yourself, as Mike Goss did today.

[01:02:49] There is a culvert between my house and our neighbor's home. that needs to happen is the pipe to divert the water into the culvert which was set up for the development of manor house and worked perfectly until the new construction began and changed the grading behind our home thank you so much for your time and consideration thank you miss phelps um members of board uh typically uh there aren't a whole lot of conversations that are typically

[01:03:25] had during public comments but i have personally not visited miss phelps home but what you were describing is the action that we would ultimately take let me work if i can with our director of public works because you're absolutely right i mean i have whatever has happened on that site is impacting your property let us see what we can do even including mr newbie at some point what could be administratively some sort of stop order but let us do our homework for a minute and we will be in touch i appreciate that mike was amazing today once i registered

[01:04:04] to speak i heard from frank yesterday and then mike today we've talked to people along the line all the way up just no one has authority to make any decision and the builder has stopped speaking to my

husband after two visits. She said that this is again our problem, not hers. She stopped speaking to my husband. But you'll see in the photos we have a pool in our yard and it's closed for the season. Every single time it rains we have to have our pool company come out, reopen the pool, add water, clear the water, vacuum inches of mud from the bottom and close it again. And this

[01:04:42] happens before they can even complete the process. So it is really maddening to just see the construction crews raging on and the builder who told my husband flat out that she does not care. So I would appreciate greatly any assistance that y'all could give. Yes, yes. Your husband has shared with you that I have corresponded with him. I want to personally thank you for coming out this evening, for speaking in a calm demeanor despite what you've described as maddening on a couple of occasions for your patients thus far and for presenting your information in a very clear cogent

[01:05:21] manner with great exhibits. This is the best way to help us to help you. So thank you and please continue to use your voice in that manner. Thank you. I appreciate it. Thank y'all. Terrell, will you make sure she's got all of our contact info? So is there anyone else this evening that wishes to address the Board of Supervisors?

[01:05:46] Is there anyone on WebEx that wishes to address the Board? No, sir, there is not. Okay. Mr. Chairman, we conclude our public comments. There is one more item that I would ask the Board to add via unanimous consent, and this is a resolution to change the current representatives of the Fairfield District on the Board of Directors of the Economic Development Authority and appoint the following.

[01:06:18] Robert W. Brown, Jr. for a term ending November 13, 2024, and Ty Davenport-Mallory for a term ending November 13, 2025. Mr. Chairman, I've labeled the Resolution 29-24.

[01:06:35] Chair, we'll entertain a motion to add Resolution 29-24 to the agenda. Mr. Chair, I move we add Resolution 29-24 to the agenda. Second. All right, it's been moved by Reverend Cooper, second by Mr. Rogish. all in favor say aye aye any opposed say no as have it resolution 2924 is now added to the agenda i now entertain a motion to approve resolution 2924 ms job move we approve resolution 29-24 second all right moved by reverend cooper second by ms whitehead all in favor say aye aye any opposed say no the eyes have it resolution 2924 is approved and mr manager i assume that that is

[01:07:15] immediate that is effective immediately yes sir all right mr manager and more business uh just one for the board of supervisors i'd never do this but i want to thank our clerk to the board tanya bracket for all everything that she did with new board members bringing all these appointment papers together i know it was difficult thank you thank you thank you world's greatest clerk we are board members this is probably this is probably the shortest organizational

[01:07:54] meeting I've ever been a part of and this is going to be your easiest meeting of the year so no other board meetings will be like this so don't get used to it meeting adjourned



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