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Henrico County Board of Supervisors Regular Meeting, Tuesday, January 27, 2026

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Place Henrico County Board of Supervisors, Virginia
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- Official agenda (Henrico County): <https://henrico.gov/pdfs/manager/meetings2026/12726ag.pdf>
- Official minutes (Henrico County, regular meeting): <https://henrico.gov/pdfs/manager/meetings2026/012726regmins.PDF>
- Agend-O-Gram, Feb 10, 2026 (records the Board's approval of these minutes): <https://henrico.gov/pdfs/manager/meetings2026/2-10-26Agend-O-Gram.pdf>

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[00:00:06] Is everybody ready? 601, Mr. Smith, you ready? I want to welcome to the Enrico County Board of Supervisors meeting for January the 27th as we continue to address the challenges of this weekend's storm and out of abundance of caution for the safety of our residents and our employees.

[00:00:34] Tonight's meeting is being conducted with only essential staff present here in the boardroom. We know that many of our staff are participating in the meeting online And we hope that our residents and our other community members are watching the meeting through the live stream or through WebEx.

[00:00:51] I want to take a moment to thank our staff who are here to make the broadcast of tonight's meeting possible. And I also want to thank all of our county employees who have been working nonstop for several days to do all they can to keep our residents safe. I want to thank Mr. Terrell Hughes and our entire Department of Public Works for their hard work during this storm.

[00:01:10] All of our DPW and Ben Shepard and communications team for social media updates, FAQs, and other ways that we have kept our residents and business communities informed. All while braving the

cold and safety risks. I want to thank all first responders for all of your hard work and commitment.

[00:01:29] It makes us proud to live and work in Henrico. And we also want to thank all those mechanics who are constantly on standby to keep the plows and the equipment running. For everyone who is watching on the public comments portion of tonight's meeting, we'll be conducted through WebEx.

[00:01:47] If you're watching the live stream on the county website, you can give your comments remotely. Go to the Board of Supervisors webpage at [henrico.gov backslash supervisors](https://henrico.gov/backslash/supervisors). Click on Guidance for the Board of Supervisors meeting. Scroll down and clip on the WebEx event.

[00:02:09] A moderator will let you in and let you know when it's your turn to speak. Thank you. We will start with our Pledge of Allegiance, followed by invocation given this evening by me, chaplain for Eichel County Police Division. We pledge allegiance to the flag of the United States of America, to the republic for which it stands, one nation, your God, liberty and justice for all.

[00:02:40] Father God, we thank you for this time as we come together. Thank you for the hard work and dedication that our board and our county puts. Lord, just to help us as citizens to protect us in this time of inclement weather. Lord, thank you for the workers who are out during this time and provide them safety as a continued work is needed throughout this week.

[00:02:59] Praying for the first responders who are responding to the emergencies happening within our county. Give them protection. And Lord, as this is happening throughout the entire county, give protection and wisdom to those who may be out who can be safe in their homes and using discretion in that. Lord, I thank you for this time we get to gather.

[00:03:16] Thank you for the board, the sacrifice and time they put in to make Henrico the greatest county that it is. for the blessing it is just to be here and the blessing it is from you that we are able to know what life is and life abundant through you. In the name we pray. Amen.

[00:03:31] Colleagues, I will now accept the motion for the regular and special meeting minutes from January 13th, 2026 meeting.

[00:04:01] It moved by Ms. Roundtree, seconded by Mr. Ogles. All in favor say aye. Those opposed, the ayes have it. Mr. Manager, do you have any comments tonight? I do, Ms. Chair, members of the board. As you can see, most of our agency heads and employees are online this evening.

[00:04:18] We do have that capability and certainly hope that residents of the county have taken advantage of it as well tonight. So the chair did cover some of the and express thanks for employees that worked as storm. And Mr. Chair, members of the board, I want to thank you for your continued support.

[00:04:35] I do want to just touch on a couple of things from the storm that we experienced. So this was a different type of storm in that we have not had ice like this and avoided significant power outages simply by the fact that the storm shifted.

[00:04:53] But we had significant preparations underway in the county. Emergency planning began last week. We were in constant contact with the National Weather Service and Dominion, who were both predicting significant snow and ice and widespread power outages.

[00:05:11] A state of emergency was declared in the county on Saturday. I will ask the board at the end of the normal meeting to act via unanimous consent to lift that state of emergency. Saturday morning, the

county officially opened its Emergency Operations Center to coordinate emergency preparedness and responses across all county agencies.

[00:05:35] The EOC was staffed in shifts of 22 professionals working around the clock. All of the deputy county managers participated as well, and many of the agency heads. Countless more staff participated in regular meetings with the EOC throughout the storm and its aftermath.

[00:05:54] All county agencies worked together to protect our community during emergencies from police and fire, 911 center, and the sheriff. logistics on this storm were simply off the charts and that we had to think of how do we get 9-1-1 operators to work their shifts when they in fact could not, would not be able to drive in and a number of logistical efforts were put underway. But I want to highlight a few agencies that really went over and above. The Department of Public Works had 300 employees that were working 24-7

[00:06:34] 110 pieces of equipment recreation and parks stepped up deployed 13 vehicles to deliver food and personnel for the 9-1-1 center and other county agencies those vehicles were staffed in shifts around the clock department of general services if you came in as you came in mr. chair members of board to the county complex all county complexes our complex libraries parking lots cleared that is not the case everywhere in the region with public facilities. The Departments of Social

[00:07:09] Services, Mental Health, and our Sports and Entertainment Authority worked exhaustively to prepare that facility for shelter operations in the event of power outages with staffing assembling over 150 cots and thousands of meals should they be necessary. We actually obtained a generator for the sports and event center that came in on a flatbed truck we had never wired that facility to run on generator power that was a herculean undertaking required a number of tests in order to make sure that the equipment in there was not damaged by generator

[00:07:46] power our emergency operations provided over a thousand meals to public works equipment operators to minimize downtime for road crews who worked clearing streets throughout the day and night finance departments secured hotel rooms to be available if roads became impassable for members of the public who needed shelter because they were medically vulnerable to power outages in cold weather the county is open for normal operations tomorrow and i i will say this you know

[00:08:21] when primaries and secondaries are cleared the subdivisions are going to be more difficult in that we do have ice accumulation and there's simply mechanically very little that we can do with snow plows and ice so I ask that residents in those subdivisions simply use caution before they get to the secondaries and then primaries and then for all staff and members of the public

[00:08:53] Please do not let your guard down because more snow is forecast for Saturday and Sunday this weekend. So we will go through and do it once again. Again, Mr. Chair, members of the board, I want to thank you for the resources that you provide our county employees because we had equipment ready that other localities did not to fight this storm.

[00:09:24] And, you know, I think you could see if you drove around the region just the difference that our crews were able to make for our residents and businesses. And with that, Mr. Chair, I share your note of thanks and have no other comments this evening.

[00:09:43] Thank you so much, Mr. Manager. Colleagues, any comments from you all? just say ditto um to your comments and to the manager's comments uh i think you know most of our residents see the

herculean effort put in by our team to try to make sure that our communities are as safe as possible so um it does i mean we cannot say thank you enough for the work that has been put forward so i just want to say um thank you as well thank you so much rev nelson miss

[00:10:18] manager mr. chair we do have one presentation this morning and that is a proclamation for human traffic awareness month for this item I'd ask our vice chair Misty Roundtree to present the proclamation to Mike Feinmill deputy county manager for public safety I am honored to be chosen to present this proclamation because I firsthand have the opportunity to see the work that is

[00:10:57] being done and has been done for some time by Henrico folks and Mr. Fine Mel and Shelly Schumann Johnson and just all of the people that have really treated human trafficking the way that it should be, which is not to treat victims as criminals and to try to get folks the help that they need and to hold people accountable in this very important area. So it is my honor to present this proclamation on behalf of our board. Proclamation of the Board of Supervisors of Henrico County, Virginia, Human Trafficking Awareness Month, January 2026, whereas the inalienable rights of all Virginians are vital to the happiness, prosperity, and

[00:11:37] well-being of the communities of the Commonwealth, and whereas human trafficking is a form of modern day slavery that relies on a regime of criminal conduct including fraudulent recruiting, illegal transporting, coerced compliance, violence, and kidnapping for the purpose of stealing individuals' hopes for the future, the fruits of their own labor, their well-being, and their family relationships, and whereas thousands of men, women, and children are exploited by human traffickers in the United States and abroad, and including urban areas, small communities, schools, and neighborhoods in Virginia, and whereas human trafficking is the largest and fastest-growing

[00:12:15] criminal industry in the world, which has established a foothold in Virginia in the form of organized criminal gangs, illicit massage businesses, and labor trafficking, and whereas many grassroots and non-profit organizations exist that help in the fight against human trafficking through education and prevention, and whereas the conviction of human traffickers, empowerment of survivors, and prevention of others from becoming victims are top public safety priorities for the Commonwealth, and whereas Henrico County law enforcement has, for the past 14 years, prioritized enforcement of human trafficking

[00:12:50] laws and has worked with multiple community partners to support and empower survivors of human trafficking in what has become a model approach for the Commonwealth and the nation. Now, therefore, be it proclaimed that the Board of Supervisors of Henrico County, Virginia, hereby recognizes January as Human Trafficking Awareness Month and calls this observance to the attention of all Henrico residents. Signed, Roscoe D. Cooper, the third chair, board of

[00:13:15] supervisors, attested Tanya N. Brackett clerk, January 27, 2026. Just real quickly, Ms. Roundtree, thank you very much for the kind words, Mr. Chair, members of the board. I want to point out, I'd be remiss if I didn't point out something in aspect with these charges. As the manager was talking about the efforts of last week leading up to the storm, on Thursday we had a very amazing day where approximately 50 county leaders came together even juggling all that

[00:13:52] they were juggling with with preparing for the storm and were trained by an expert in the field lady by the name of Deepa Patel who is online she runs an organization called trauma and hope and she is working with county workers to train on this issue our goal and something we hope to accomplish by the end of the year in conjunction with efforts of police are to train every county employee for what to look for

in the area of human trafficking and who to tell when they see warning signs so I can't speak enough how amazing that event was on Thursday the training was fantastic but also the fact that we had

[00:14:29] so many county leaders give up their time in dealing with everything else they were dealing with to come together and strategize on developing this this response so thank you so much for this proclamation and the support for all that we do in this area and we're gonna do something really amazing with the County this year in this area. Mr. Manager before we proceed with the agenda are there any members of the media here so could you just acknowledge yourself all right if you're watching online thank you so much for covering our meeting site. Mr. Manager. Chair and members of the board you move

[00:15:06] into public hearings rezoning cases and provisional use permit. First case out of Tuckahoe 255-25 is a conditional rezoning request coming forward for Main Street Homes of Virginia to rezone from A1 to R3 AC, several parcels containing 7.25 acres located at the southwest intersection of Church Road and Covey Run Drive.

[00:15:29] The applicant proposes single-family homes. Mr. Emerson. Thank you, Mr. Manager. As you mentioned, this case has been on the agenda several times. It was deferred from the November 12th meeting as a decision only. Just as a quick recap of the case, the site is 7.25 acres.

[00:15:50] It is located at the intersection of Church Road and Covey Run Drive. The request is to rezone from R3AC1 Family Residential District or to R3AC1 Family Residential District to construct up to 14 single-family homes.

[00:16:07] It's from A1 to R3AC. The adjacent development is R3, but the reason for the R3AC is the environmental features that are evident in this conceptual layout cause some of the lots not to be able to conform with the true R3 lot, so the R3AC.

[00:16:29] For those particular lots, allow them to be a little more flexible. All the proffers that have been provided in this case make it consistent with the existing homes on the opposite side of covey run the only other thing that i would mention in regards to this case as an update is that the b existing bmp which had been in question as to ownership has transferred to the existing covey run homeowners association and with that if you have any questions i'll be happy to try and answer them colleagues any questions thank you mr emerson And I know this is a decision only, so this is not open for public hearings.

[00:17:08] I just want to cover just a few things, just because it's been 60 days since we last heard the case. And primarily, we did defer it for two reasons. We wanted to get a little bit more information on the school side. We also, as you alluded to, were talking about the BMP just to the south of the property.

[00:17:29] There was a question of the ownership of that BMP. It has transferred over to the Covey Run HOA. So giving us that 60 days, I think, to wait was very, very beneficial for that case. So I just want to reiterate for folks that might be watching, we did have two community meetings where the applicant reduced from 18 to 14 homes after the first meeting.

[00:17:53] They also proposed the lot width to be 85 feet. They also removed a shared driveway that attached directly to Church Road, and they assured that any wetlands that were there would be in a C-1 conservation. After the second community meeting, they also increased the minimum house size from \$2,000 to \$23,50.

[00:18:15] They changed the construction hours from 7 to 7 to 8 to 6 p.m. They removed the asphalt driveway, and they also created a 10-foot buffer on the western side behind each of the lots. So, lastly, I think they proffered no connection between Bowerton Road, which is very important to some of the folks on London, Retrievers Ridge.

[00:18:39] So, appreciative of the applicant doing those things for the community after those two meetings. I do want to spend just a second on the schools, because I did do a little research, as my colleague did, on one of her cases. This particular property is zoned for Gaten, Pocahontas, and Godwin.

[00:19:00] I think Gaten was probably the largest concern with many of the residents. I just want to make sure that everyone got this from the school's website. But, you know, across the county we have at least 4,100 empty elementary school seats.

[00:19:17] I know we have an expansion at Longin and Jackson Davis, and we'll add about 150 each. There's also a new elementary school that our former colleague from Fairfield is building in Fairfield. So that will add some additional capacity as well in elementary school.

[00:19:32] So plenty of elementary school capacity around the county. Obviously, we're worried about Gaten particularly. When I look at Gaten, it's showing from schools at 93% capacity. 599 is the actual enrollment, functional capacity 644.

[00:19:52] When you actually look at some of that, and there was some email traffic because the parents found a number of 621 on the enrollment. That included some pre-K kids, and so there were some pre-K classes inside that school.

[00:20:07] The actual capacity at Gaten is like 680, which means there's about room for 81 kids at Gaten Elementary School. So I know that there are people that are watching that will say Gaten is overcapacity, and there's some capacity issues there, and it may just be that programming will be adjusted over the years.

[00:20:29] But the building itself looks like there's plenty of capacity from what I'm seeing. I don't know if, Mr. Emerson, you have anything on that. But the last thing that I'll read sort of from folks is, I did get a letter from the HOA president, or an email, I apologize, from the HOA president from Covey Run HOA, which is just to the east of this proposed, it's on the eastern side of the street.

[00:20:57] He, I'll shorten it, but basically he said, that being said, we wanted to thank you, he was sending this to Mr. Rogish, myself, that being said, we want to thank you and the other board of supervisors for your patience as our Covey Run HOA worked through. through this, being the claim to the BMP, and let you know that we support the approval of MSH Main Street Homes Plan Covey Run West development.

[00:21:20] So the HOA seems to be supportive of this at this point, whether or not they will join that HOA, that's to be determined in the plan of development, they'll have to figure that out. So just real quick, and we'll get moving here, the comp plan does call for residential here, is that correct?

[00:21:37] Yes, sir. So it checks the box for comp plan. It looks like schools are supporting it, traffic, police, basically general government is supporting this. Yes, sir. Planning Commission has recommended approval. Staff supports it as well. So from my perspective, then I look at the HOA.

[00:21:55] The HOA across the street is supporting it. I have neighborhood support. I also think that in this case the applicant has done everything within reason. They've closed the road. They've settled the BMP. They've addressed hours of construction, et cetera. So I want to thank the applicant on this for that as well.

[00:22:13] So with that long-winded response, Mr. Chair, I move that we follow the recommendation of the Planning Commission and approve REZ 2025-101470 Main Street Homes of Virginia, Incorporated. Second.

[00:22:29] It's been moved by Mr. Rogus, seconded by Ms. Roundtree. All in favor say aye. Aye. Those opposed? Ayes have it. Approved. Next, Mr. Chair, out of the verona district 249-25 elder homes corporation has a conditional rezoning request mr emerson i understand that this uh at the request of the applicant is being deferred till march the 10th yes sir that is the request is a deferral uh there are still it was deferred before as you'll recall for additional drainage work that that needed to be done soils analysis and

[00:23:05] overall development questions there are still many outstanding questions regarding the work that's been submitted thus far public works environmental raised several issues that need to be addressed they're contained in the staff report so staff recommended deferral the applicant i advise the applicant of that so they requested a deferral to march the 10th And that's the request.

[00:23:35] Reverend Nelson. Mr. Newby, we can go straight into the motion, right? No, sir. I would call for public hearing, Mr. Chair, on the deferral request. All right. So this is a public hearing.

[00:23:52] If there are persons online that like to speak to this item? No, sir. Excuse me. Sorry. No one to speak on this item. Thank you so much. All right, Mr. Chair, I move the RZ 2025-101-722 Elder Homes Court be deferred to the March 10, 2026 meeting at the request of the applicant. Second. It's been moved by Reverend Nelson, second by Ms. Rogus, all of them. All right. Those opposed, the ayes have it. Motion approved. Next, Mr. Chair, members of the board out of the Tuckahoe District 32-26 Cannon Wash LLC with a request for a

[00:24:27] provisional use permit under chapter 24 of the code of the county to allow car wash on a parcel located at the northwest intersection of Patterson Avenue and Quail Lane. Mr. Emerson. Thank you, Mr. Manager, Mr. Chair, members of the board.

[00:24:43] This is a request for a provisional use permit to allow the operation of a car wash on a .945-acre B2C-zoned site at the northeast intersection of Patterson Avenue and Quail Lane. Surrounding uses include office and business to the east and west, as well as single-family residential neighborhoods adjacent to the north.

[00:25:06] an apartment community and retail strip center are located across Patterson. The property was previously a Kentucky Fried Chicken restaurant and was rezoned from B1 to B2C in 2002.

[00:25:22] Proffered conditions approved with the rezoning remain in effect, would not conflict with the proposed use. The applicant has indicated the existing building would be removed if the site is redeveloped as proposed with this request. As shown on this concept plan, the proposed car wash would be positioned in the center of the site with 12 vacuums along the structure's eastern wall facing the office building.

[00:25:48] Cars would enter from Quayle, queue along the western side of the building, exit to the north towards the residential properties, and then turn where drying blowers would be located and then move southerly towards Patterson.

[00:26:07] Existing vegetation would be retained in several locations along the site's perimeter and the northern masonry wall would remain. Supplemental landscaping would be added in several spots and the height of the existing brick panel wall on the eastern property line would be increased to 8 feet.

[00:26:24] We do have some elevations and if you've seen Tommy's Car Wash, you've seen these. These elevations depict the brick, the building's trademark appearance with a mixture of exterior materials and colors including brick glass and metal finishes with 14 recommended conditions staff believe the proposed use could be a reasonably compatible infill in keeping with character and development along this segment of Patterson Avenue. Staff supports this application and the Planning Commission at their December 11th meeting recommended approval with

[00:27:02] the conditions contained in the staff report if you have any questions I'll be happy to try and answer them. This is a public hearing. Is anyone online to speak to this item? No, sir. There is not. Thank you. Colleagues, question Mr. Emerson. Can you just explain to me this was a KFC drive-through? Yes, sir. Now a car wash basically drive-through. What? What is the rezoning that exactly we're doing? Well, it's pretty sorry. It's a provisional use permit and with car washes are considered a more intense use that aren't necessarily compatible in some

[00:27:41] areas if you're surrounded by a great deal of residential or maybe some other issues. I recall one on Staples Mill Road where the Planning Commissioner was concerned about the distance between the car wash exit and when it was entering Staples Mill just because of the water that comes out with cars. So provisional use permit gives the Planning Commission and the Board of Supervisors an opportunity to look at these types of operations and see what kind of additional requirements may be necessary or if they're appropriate for the location at all.

[00:28:16] And in the public hearing for the Planning Commission, were there negative comments? I know I've seen a dozen or so positive responses on supporting the car wash. Is there any concerns that we have from residents?

[00:28:32] The only concern that was raised, as I recall, regarded the hours of operation on Saturdays and Sundays. And there was an adjacent resident whose wife worked late hours and asked that the hours of operation be changed in the mornings on Saturday and Sunday. The commission did change the hours on Sunday, but not on Saturday.

[00:29:04] Is there anything to add from the applicant? Mr. Rubens? No one online? No one online. Mr. Chairman, I move that we follow the recommendation of the Planning Commission and approve PUP 2025-1025-91 Cannon Wash, LLC, with the recommended conditions listed in the staff report.

[00:29:33] Is there a second? Moved by Mr. Rogan, seconded by Mr. Smith. All those in favor say aye. Those opposed? Ayes have it. It's approved. Next, Mr. Chair, members of the board, 33-26 out of the Verona District is a east-west communities with a proposal for conservation area, one acre located at the west line of Wilson Road near its intersection with New Market Road. Mr. Emerson, thank you. Mr. Manager, Mr. Chair, members of the board, uh, this request is to conditionally rezone one acre from S-M-X-P-D suburban

[00:30:09] mixed use plan development district to c1c conservation district conditional this request is made to comply with proffer number 20 of rez 2022 00026 which committed to rezone areas within hundred year flood plain to see one prior to subdivision plat recordation future sections of arcadia will be subject to proffer number 20 as well adding another level of protection to the flood plain the 2026 comprehensive plan designates the majority of the site environmental protection

[00:30:44] area so it is compliant with the with the comprehensive plan staff supports the request The Planning Commission recommended approval at their December 11th meeting. This is very consistent with actions you see on zoning cases.

[00:31:01] It's a standard proffer that adds an additional level of protection to these environmental features on sites. What you see in front of you is the ultimate master plan for Arcadia and the area that this rezoning to C1 is impacting lies right in the general area of my cursor coming out to Wilson Road.

[00:31:29] So it's just another level of protection. And one of our standard operating procedures, we ask for this proffer quite a bit when applicants come in with large cases. If you have any questions, I'll be happy to try and answer them.

[00:31:47] Question, Mr. Chair. Yes, sir. So in layman's terms, again, Mr. Emerson, we are, what are we doing here? Case has already been, the property has been rezoned, et cetera. So just tell me in layman's terms what's happening.

[00:32:05] Sure. Proffer number 20 required the environmental features, in this case floodplain, the 100-year floodplain, be rezoned after final engineering was done. And as they move through the process, they bring that back to rezone it to C1 to add just that extra level of protection to that floodplain area.

[00:32:24] Okay, so is this the only time this is going to happen or this will happen more as they continue to develop it more? Will they come back and put more in the conservation or what? They'll come back and put more in conservation as they move forward with plans for the development in the other sections.

[00:32:43] Anytime that they have this 100-year floodplain feature, they will need to come back and comply with proffer number 20. So you'll probably see this several more times on this case. And this parcel is how large? This parcel, let's see if I've got that.

[00:33:02] All right, one acre, okay. Oh, the parcel itself, yes, there is one acre. I thought you were talking about the entire development parcel. All right, that's all I have, Mr. Chair. Thank you so much, Nelson. This is public hearing. Is anyone on line to speak to this item?

[00:33:19] No, sir. No one to speak to this item. Thank you, sir. Colleagues, any questions or comments? Reverend Nelson. All right, Mr. Chair, I move that we follow the recommendations of the Planning Commission and approve RAZ 2025-10244 East-West Communities. It's been moved by Reverend Nelson. Is there a second?

[00:33:35] Second. Second by Mr. Rogish. All in favor, say aye. Aye. Those opposed? Ayes have it. It's approved. Next, Mr. Chair, members of the board, you move into public hearings. Other items, agenda item 34-26 is an ordinance that would change the polling price from the Sanston Precinct in the Verona District from the Sanston Baptist Church to Sanston Elementary School by amending and reordaining Section 9-2 of the County Code.

[00:34:03] Mr. Coakley. Thank you, Mr. Manager. Mr. Chair, members of the board, this board paper would move the polling place in the Sanston Precinct in Verona District from Sanston Baptist Church to Sanston Elementary School. The Sanston Baptist Church no longer is able to accommodate polling place.

[00:34:22] The board previously set the public comment period for the proposed ordinance from December 29, 2025 through February 2, 2026. At the conclusion of the public comment period, the Code of Virginia requires a 30-day wait period before the polling place changes can take effect.

[00:34:41] Just for some information, there's 2,480 voters at this precinct, and it ranks number 54 of 90 of all the polling places in Henrico. I'll be glad to answer any questions you have at this time. Thank you, Mr. Coakley.

[00:34:57] Colleagues, any questions? Mr. Coakley, you said we're moving it again. Why? We're moving from Sandston Baptist Church because it can no longer accommodate us as a polling place due to a choir and a day school that they have there. Thank you.

[00:35:13] Anyone else? This is a public hearing. Is there anyone online to speak to this item? No, sir. No one to speak to this item. Thank you. Is there a motion? Is there a move by Reverend Nelson, seconded by Mr. August? All in favor of the aye. Those opposed? One is approved. Next, Mr. Chair.

[00:35:30] 35-26, I'm going to ask Mr. Newby to cover from the DS. Yes, so this is a board paper, Mr. Chair, members of the board, that authorizes the exchange of real property between the county and the Islamic Center of Henrico. The property is in the Brooklyn District. The county owns 13.5 acres of undeveloped land at 7200 Galaxy Road.

[00:35:50] The adjoining landowner, which is the Islamic Center, has asked the county to convey roughly .6 acres of the county's property in exchange for a little over an acre from the center. The county would hold the additional land for future recreational use, while the Islamic Center would use the property exchange from the county for egress, and only egress, onto Galaxy Road.

[00:36:10] The director of real property recommends approval. The county manager concurs. I'd be happy to answer any questions. Colleagues, any questions, Ms. Newby? I have a few, Mr. Chair. If we could handle the public hearing first, though. Yes, sir, Ms. Smith. This is a public hearing. Are there any persons present on line to speak to this item?

[00:36:28] No, sir. No one to speak to this item. Thank you, sir. Mr. Smith. Thank you, Mr. Chair. Mr. Newby, I appreciate the work. I know this went back for additional work, so just a few cleanup questions. You mentioned one-way exiting only. Will they be required to sign that, or will the county sign the do not enters and those types of things off of Galaxy?

[00:36:47] The deed itself will prevent anything other than exit onto Galaxy Road. As far as signage, I would expect the property owner would be required to install that signage. All right. And enforcement of that, what are our legal rights to enforce if they use it for inbound?

[00:37:04] It's a private property, right? It's in the deed, so we could sue to enforce the deed. Got you. Do they have to pave it? Can they use it unimproved? I don't have that information, sir. I guess they likely would be able to, I would imagine.

[00:37:22] Yes, I would imagine they will improve it, and I don't know if Mr. Hughes or Mr. Emerson's shop, when they review this, will require it to be paved. Is there, just tell me what the, would there be

substantial damage occurred by the county if we delayed this to get some of that information to enhance the ability for us to insure?

[00:37:51] I'll tell you why. I'm a little curious about if they don't improvement the mud and dirt and such coming out on Galaxy and then want to make sure they use it in the manner that is intended. So are we under a time constraint that would be damaging to the county or the end user for this?

[00:38:09] This is the request of the Islamic Center. I see Mr. Emerson rising. I wonder if he has answer to whether they'll be required to pave the egress onto Galaxy Road as part of planning in DPW's review. They would be required to pave the entry, but I don't think there's a pressing need to move it forward tonight if you'd like to get a development agreement or something in place that gives you that extra layer of protection.

[00:38:39] That would be my next question. Is that possible? Is there another level of guarantees that is possible in this land swap from a legal perspective, Mr. Newby, or from a plan of development to come back? Is there another level of protection we could get? I'd like for it not to be muddy and rutted.

[00:38:56] And you said they paid the entry, but I'm guessing that's just a few feet. And then signs that ensure to residents on Galaxy that they won't use it as an in and out, that they can't park on it, It has to be maintained fire, fire truck with, for access, all those things that I just like to ensure.

[00:39:13] And I can schedule time on this. I know we've already spent, and thank you all for going back on this. I think I delayed it once, and it's an uncomfortableness for me to make sure it's used correctly because I know the impact. I know the reason this is important, and that's because the one side causes us some public safety issues with parking and all kinds of things and resident inconveniences.

[00:39:34] And this exit is helpful. but is it possible to get further assurances legally? There is. So we have an exchange agreement for the property. I can speak to my side so we can obviously draft into the deed and the exchange agreement requirements that the property be paved and that it be signed appropriately by the property owner as opposed to the county.

[00:39:50] There's already a provision here that there's no parking on that egress, and it can't be used for any commercial purposes or anything, frankly, other than egress. It also ensures that a buffer be maintained between the egress and the existing residential. But we can have the two items, signage, paving, and actually a third item, fire truck width.

[00:40:09] Markings, anything that we can do to ensure. And I'll publicly state that my apologies to both your team, Mr. Newby, and yours, Mr. Emerson. You have gone back at this two or three times now, and you asked me a week ago if I was all right with it, and I think my answer was yes.

[00:40:26] I know my answer was yes. I just have these lingering things that are bothering me on it, And I just am not fully convinced that we're not going to look back. And once this property doesn't belong to us and it's owned by a different landowner, very limited protections I can put in place for the neighboring residents.

[00:40:44] And I want to make sure I do every single thing possible. Sure. Well, many of the items that you mentioned are covered under the plan of development, but they're administrative actions and the wits and the paving to a certain extent.

[00:41:00] but there are certain exceptions that are granted to different types of uses based on their ability to accomplish development sometimes. So I think a development agreement before you transfer might be your better avenue if the attorney concurs.

[00:41:17] But what I could suggest, too, if you weren't worried about time at all, is you could approve it tonight on condition that those three items be addressed, or you could take more time to think if you're fully satisfied. I guess that's good input. I guess I'd like guidance on how to defer action on this item and then spend some time on even a call with Mr. Hughes, you guys, public safety perspective.

[00:41:45] I just fear that once this exchange and these deeds are done, we don't own the land anymore and fearful of our ability to ensure adequate use.

[00:42:05] So, Mr. Schmidt, why don't we, just a suggestion, based on your comments, we could withdraw the paper and bring it back at a time that it's ready, that you feel comfortable.

[00:42:22] We've gone over it with public safety, Mr. Hughes. But if we withdraw the paper, then we can just bring it back. And that way there's no fix, you know, you've got to do this in 30 days. We'll do it right. Everyone is comfortable with it, and we'll put it on an agenda, a future agenda.

[00:42:41] That'd be fine, Mr. Manager, and I'd just like to restate the fact that it comes with my apologies. Mr. Manager, staff and I discussed it earlier. I wasn't comfortable. They fixed it. They got it in good shape. It just doesn't feel right, and I just want to continue to revisit it.

[00:43:01] So, Mr. Newby, withdrawal requires no action by the board? Correct. staff is drawing the paper we'll redraft it and re-advertise it when we're ready correct sir yes thank you mr newbie mr emerson mr hughes if you're listening mr manager thank you for the extra time on that my apologies for the extended delay yes sir so uh the next item agenda item 36 dash 26 is a resolution this is for condemnation for right-of-way and easement for the fall line trail this is 1725 vale street in the fairfield district mr newbie the condemnation comes about

[00:43:37] as a result of? Yes, sir. Mr. Chair, members of the board, this is what we might call a friendly condemnation. We have an agreement with the property owner on the value of the take and the amount of money the county would pay for the property. However, we need the lender sign-off, in other words, the mortgage company sign-off. And for whatever reason, the red tape there has been quite sticky. And so staff's perspective is if we authorize this condemnation, we'll be able to cut through that tape and execute the deal with the property owner. Thank you, Mr. Manager.

[00:44:10] Ms. Newby, this is a public hearing. Is there anybody present on the line to speak to this item? No, sir. No one to speak to this item. Are there any questions, colleagues? If not, I move that the resolution for the combination be approved.

[00:44:32] Motion by myself, seconded by Ms. Rontra, all of those who say aye. Those opposed, the ayes have it. It's approved. Next, Ms. Chair, members of board, 37-26 is a resolution for signatory authority. This is an easement agreement with VDOT for intersections of Patterson Avenue and Borden Road, West Ham Parkway, and Sweetbriar Road, all of these in the Tuckahoe District.

[00:44:53] Mr. Newby? Yes, sir. Mr. Chair, members of the board, this board paper would authorize an agreement with VDOT for temporary construction easements across county property at the intersections

of Patterson, Borden Road, West Ham, and Sweetbriar in connection with the project to extend sidewalk along Patterson on the south side between Sweetbriar and Horsepen.

[00:45:10] And so if you can imagine it, Borden, West Ham, and Sweetbriar are all county roads. So as they cross those roads, they need land from us. And that's what this paper would do. Be happy to answer any questions. Thank you so much, Mr. Newby. This is a public hearing. Is there any person present on line to speak to this item?

[00:45:29] No, sir. No one on line. Thank you, sir. Colleagues, any questions, comments? Mr. Rogish. No comments. I move the resolution 3726. Second. It's been moved by Mr. Rogish, seconded by Reverend Nelson.

[00:45:45] All in favor say aye. Aye. Opposed? Aye's have it. The resolution is approved. Next, Mr. Chair, 38-26 is a resolution for signatory authority. This is an agricultural lease to Engels Farms for 9720 Malvern Hill Lane, which is in the Verona District.

[00:46:03] Mr. Newby. Yes, sir. Mr. Chair, members of the board, this board paper authorizes the county manager to execute a lease of 113.76 acres of farmland. at Malvern Hill Farm to Engel Farms. The initial lease will begin on January 31st of this year and end next year with options to renew year-to-year for up to six years.

[00:46:23] I'd be happy to answer any questions. Thank you so much, Mr. Newby. This is a public hearing. Anybody present in line to speak to this particular item? No, sir. No one to speak to this item. Thank you so much. Colleagues, are there any comments or questions? So, Engel, this group has been farming their land for a while.

[00:46:47] Yes, sir. So moved resolution? They're moved by Reverend Nelson. Is there a second? Second by Ms. Rogus. All those who have a aye. Opposed? Ayes have it. The resolution is approved. Thanks, Mr. Chair. You're moving to public comments.

[00:47:02] Kenny, do we have anyone on WebEx that wishes to address the board? No, sir. There is not. Okay. And no one here? Obviously present. So, Mr. Chair, you'd move into the general agenda. First item is 39-26 is a resolution for award of contract.

[00:47:19] This is an annual contract for structural demolition services. We're prior hauling a company that we have done business with for many years is the low bid on this item. And this item is recommended by the director of building inspections, a purchasing director, and recommended by yours truly.

[00:47:39] Thank you, Mr. Thank you, Mr. Manager. Colleagues, is there a motion? Second. Moved by Ms. Roundtree, seconded by Ray Nelson. All in favor say aye. Aye. Those opposed? Ayes have it. Approved. Resolution approved. Next, Mr. Chair, 40-26 is a resolution for award of contract.

[00:47:55] These are public safety cancer screenings, an effort that we started a number of years ago. Our recommendation is that, based on interviews, United Diagnostic Services, LLC, be awarded this negotiated unit rate schedule for cancer screenings.

[00:48:13] Mr. Chair? Mr. Manager, thank you so much. Colleagues, are there any comments or questions? If not, is there a motion? Moved by Reverend Nelson as our second. Second moment is round three. All those in favor say aye. Opposed? Ayes have it. The resolution is approved.

[00:48:29] Next, Mr. Chair, 41-26 is a resolution for signatory authority. This is for a lease for the Division of Fire at 2063 Dabney Road. This is in the Brooklyn District. 9,217 square feet of office and warehouse space at that facility.

[00:48:49] The lease will be used by the county's Division of Fire at a fixed rent of \$16,000 during the first year with an annual escalator annually thereafter. Mr. Chair. Thank you, Mr. Manager. Any questions or comments, colleagues? If not, Mr. Smith.

[00:49:06] So moved. Moved by Mr. Smith. Is there a second? Seconded by Mr. Rokers. All in favor say aye. Opposed? Ayes have it. Resolution is approved. 42-26. Mr. Newby, I'm going to ask for some help on this. A resolution for signatory authority. This is acquisition of real property drainage and flood mitigation, 2715 Bowles Lane in the Fairfield District.

[00:49:28] That's correct. Mr. Manager, members of the board, this board paper authorizes the acquisition of that property for drainage and flood mitigation. The owner, Ms. Norton, has agreed to sell the property for \$316,500. This adds to the county's growing portfolio of properties purchased for drainage and flood mitigation for the benefit of property owners and neighbors in the county.

[00:49:50] Thank you, Mr. Newby. Colleagues, are there any questions or comments? If not, so move. Moved by myself. Seconded by Mr. Rogish. All in favor say aye. Aye. Opposed? Ayes have it. Resolution is approved. Next, Mr. Chair. At this time, I would ask the board to add an item to the agenda by unanimous consent.

[00:50:10] I referred to it in the opening. This item would concur in the declaration of emergency that was signed, but doesn't lift it. That'll come later. labeled this item 43-26 the item is titled resolution declaration of local emergency winter storm firm mr newby will provide the overview yes sir mr manager mr chair members of the board this board paper confirms the declaration of local emergency made by the county manager at 11 a.m on january 23rd in recognition of the effects of a significant snow and ice event known as winter storm fern the chief of the department of emergency management

[00:50:48] and workplace safety recommends approval, and the county manager concurs. This is required by state law. Declaring a local emergency provides much flexibility to county staff to address issues that come up during the emergency, including procurement challenges. I'd be happy to answer any questions. Thank you so much, Mr. Newby.

[00:51:05] Any questions or discussions from my colleagues? I'll just make a point. Actually, this I guess could have come after adding it too, But I just wanted to note that this emergency, this declaration of local emergency opened the door for the ability for us to do things as a county very quickly, right?

[00:51:26] From a procurement standpoint, yes, ma'am. Right. And so things that we had discussed but didn't end up needing were things like opening up the Sports and Events Center and making other options available. and I just even though we didn't need it I want to you know point out that our EOC team and you noted it at the beginning really started planning in advance for a week or so in advance and wanted to have all options on the table and the fact that we ended up not needing those doesn't negate the fact that if it had gone a different way that the pieces were all in place to be able to move very

[00:52:03] quickly to to get folks what was needed in that time so um again i probably should have waited till after we added it to the agenda but i didn't want to miss the opportunity to note that this is just an example of using the tools that we have in our toolbox to act very quickly as the situation requires and i

think we're all grateful we ended up not needing half of those tools but they were there thank you ms roundtree for sharing those sentiments that um all of us concur with um is Is there a motion to add Resolution 43-26 to the agenda?

[00:52:35] Mr. Chair, I move we add Resolution 43-26 to the agenda. Second. It's been moved by Mr. Rogus, seconded by Reverend Nelson. All in favor say aye. Aye. All those opposed? We have unanimous consent and Resolution 43-26 is added to the agenda.

[00:52:52] I will now entertain a motion to approve Resolution 43-26. Mr. Chair, I move we approve Resolution 43-26. Second. It's been moved by Mr. Rogan, seconded by Reverend Nelson. Any discussion on the motion? If not, all in favor say aye.

[00:53:08] Aye. All opposed? The ayes have it. The resolution 43-26 is approved. Mr. Chair, I have no other items this evening. Colleagues, any comments? Seeing none, thank you so much. This meeting is adjourned.



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