

**HENRICO COUNTY
NOTICE OF SPECIAL MEETING
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, August 9, 2022, at 5:30 p.m.** in the County Manager's Conference Room on the Third Floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matters to be reviewed by the Board at this time are:

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| 5:30 - 6:00 p.m. | Detox Center Operating Agreement |
| 6:00 - 6:30 p.m. | Sports and Entertainment Authority |
| 6:30 - 6:45 p.m. | Review of Regular Meeting Agenda Items |

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
August 4, 2022

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
August 9, 2022
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – July 26, 2022, Regular and Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

115-22 Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1
REZ2022- Agricultural District to R-5AC General Residence District (Conditional) part of
00002 Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the
Three Chopt southwest intersection of Pouncey Tract Road (State Route 271) and
Wyndham West Drive. The applicant proposes a single-family residential
development. The R-5A District allows a maximum gross density of 6 units per
acre. The use will be controlled by zoning ordinance regulations and proffered
conditions. The 2026 Comprehensive Plan recommends Rural Residential,
density should not exceed 1 unit per acre. The Planning Commission voted to
recommend the Board of Supervisors grant the request. **(Deferred from the
July 12, 2022, meeting.)**

174-22 Archibald Hunt, Jr.: Request to conditionally rezone from A-1 Agricultural
REZ2022- District to R-3AC One-Family Residence District (Conditional) Parcel 809-
00017 731-5615 containing .562 acres located at the northeast intersection of
Fairfield Harvie Road and Harvest Crest Court. The applicant proposes an additional
single-family dwelling. The R-3A District allows a minimum lot area of 9,500
square feet and a maximum gross density of 4.59 units per acre. The use will
be controlled by zoning ordinance regulations and proffered conditions. The
2026 Comprehensive Plan recommends Suburban Residential 2. The
Planning Commission voted to recommend the Board of Supervisors grant
the request. **(Deferred from the June 14, 2022, meeting; Deferral
requested to the September 13, 2022, meeting.)**

217-22 Pemberton Investments, LLC: Request to conditionally rezone from A-1
REZ2022- Agricultural District and B-3 Business District to R-5AC General Residence
00019 District (Conditional) part of Parcel 739-755-4897 containing 10.517 acres
Three Chopt located on the west and east lines of John Rolfe Parkway at its intersection
with Pump Road. The applicant proposes a residential development of
detached dwellings. The R-5A District allows a minimum lot area of 5,625
square feet and a maximum gross density of 6 units per acre. The use will be
controlled by zoning ordinance regulations and proffered conditions. The 2026
Comprehensive Plan recommends Open Space/Recreation (OS/R), Suburban

Residential 2, density should not exceed 3.4 units per acre, and Office. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

218-22
PUP2022-
00015
Brookland
MJF Maywill, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-3708 of Chapter 24 of the County Code to allow a multifamily residential development with commercial uses on Parcel 776-737-5035 located on the north line of Thalbro Street at its intersection with Westmoreland Street. The existing zoning is M-1 Light Industrial District. The 2026 Comprehensive Plan recommends Heavy Industry. The site is in the Westwood Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

219-22
REZ2022-
00020
Three Chopt
HHH Land LLC: Request to conditionally rezone from A-1 Agricultural District and R-4C One-Family Residence District to R-5AC General Residence District (Conditional)(.872 acres) and R-6C General Residence District (Conditional) (6.409 acres) Parcels 739-766-6963 -8964, -9452, 740-766-0541, and -4846 totaling 7.281 acres located on the east line of Pouncey Tract Road (State Route 271) approximately 370' north of its intersection with Twin Hickory Lake Drive. The applicant proposes residential condominiums and single-family dwellings. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The R-6 District allows for multifamily dwellings with a maximum gross density of 19.8 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Suburban Mixed Use, density should not exceed 4 units per acre. The site is in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

220-22
REZ2022-
00022
Three Chopt
Stanley Martin Homes, LLC: Request to rezone from R-5AC General Residence District (Conditional) to C-1 Conservation District part of Parcel 752-773-1086 containing 11.6 acres located approximately 100' southeast of the terminus of Maben Hill Lane extending approximately 2,486' east and west along the floodplains of Allen's Branch and the Chickahominy River. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

221-22
REZ2022-
00021
Fairfield
HHH Hunt River Mill, LLC: Request to conditionally rezone from R-5AC General Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 779-774-3651 containing 5.11 acres located approximately 500' northwest of the terminus of Winfrey Road extending approximately 1,700' north along the floodplain of the Chickahominy River. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

222-22 Doswell Ventures, LLC: Request to conditionally rezone from R-4 One-Family
REZ2022- Residence District and B-3C Business District (Conditional) to B-3C Business
00023 District (Conditional) Parcels 781-761-6051 and -4638 containing 2.03 acres
Fairfield located on the west line of Mountain Road approximately 45' south of its
intersection with New York Avenue. The applicant proposes contractor service
and office uses. The uses will be controlled by zoning ordinance regulations
and proffered conditions. The 2026 Comprehensive Plan recommends
Commercial Concentration. The Planning Commission voted to recommend
the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

- 223-22 Resolution - Amendments to FY 2022-23 Annual Fiscal Plan - August 2022.
- 224-22 Ordinance - To Amend and Reordain Section 20-59 Titled “Agricultural,
horticultural, forest and open space uses” of the Code of the County of
Henrico to Conform to 2022 Changes in State Law Regarding Land Use
Assessments.
- 225-22 Ordinance - To Amend and Reordain Section 20-625 Titled “Persons other
than small loan companies lending money for purchase of chattels secured by
liens; purchasers of conditional sale contracts” of the Code of the County of
Henrico to Conform to 2022 Changes in State Law Regarding Local Business
License Taxes.
- 226-22 Ordinance - To Amend and Reordain Section 5-1 Titled “Definitions” and
Repeal and Reserve Section 5-30 Titled “Control of dangerous or vicious dogs”
and Section 5-31 Titled “Vicious dogs” of the Code of the County of Henrico to
Rely on State Regulations of Dangerous and Vicious Dogs as Amended by the
General Assembly.
- 227-22 Ordinance - To Amend and Reordain Section 22-36 Titled “Unnecessary noise
in operation of vehicle” of the Code of the County of Henrico to Conform to
2022 Changes in State Law and Regulate Vehicle Exhaust Noise.
- 228-22 Resolution - Signatory Authority - Lease of County Property - 11100 Winfrey
Road - Brookland District.
- 229-22 Resolution - Condemnation - Right-of-Way and Easements - Richmond-
Henrico Turnpike Improvements Project - 4490 and 4500 Richmond-Henrico
Turnpike - Fairfield District.

PUBLIC COMMENTS

GENERAL AGENDA

- 230-22 Introduction of Resolution - To Create the Sports and Entertainment
Authority of Henrico County, Virginia, Pursuant to the Public Recreational
Facilities Authorities Act and Setting Forth the Articles of Incorporation of
the Authority.

- 231-22 Resolution - Approval of American Medical Response Mid-Atlantic to Operate a Medical Transport Service in Henrico County.
- 232-22 Resolution - Award of Contract - Annual Construction Services - Concrete and Asphalt Rehabilitation.
- 233-22 Resolution - Adoption of Procedures for Design-Build Contracts.
- 234-22 Resolution - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - 205 Roxbury Industrial Center - Charles City County, Virginia.
- 235-22 Resolution - Approval of Acquisition - Right-of-Way and Easements - Sadler Road Improvements Project - 4328 Sadler Road - Three Chopt District.
- 236-22 Introduction of Ordinance - To Amend and Reordain Section 10-67 Titled "Penalty and enforcement" and Section 10-68 Titled "Prohibited noises enumerated" of the Code of the County of Henrico to Limit Daytime Noise in Residential Areas from Stereos, Televisions, Musical Instruments, and Similar Devices.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
August 9, 2022**

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

- REZ2022-00002
Three Chopt
- Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) part of Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the southwest intersection of Pouncey Tract Road (State Route 271) and Wyndham West Drive. The applicant proposes a single-family residential development. The R-5A District allows a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Rural Residential, density should not exceed 1 unit per acre. Acting on a motion by Mrs. Thornton, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would permit development of the land for residential use in an appropriate manner and the proffered conditions will provide appropriate quality assurances not otherwise available. **(Deferred from the July 12, 2022, meeting.)**
- REZ2022-00017
Fairfield
- Archibald Hunt, Jr.: Request to conditionally rezone from A-1 Agricultural District to R-3AC One-Family Residence District (Conditional) Parcel 809-731-5615 containing .562 acres located at the northeast intersection of Harvie Road and Harvest Crest Court. The applicant proposes an additional single-family dwelling. The R-3A District allows a minimum lot area of 9,500 square feet and a maximum gross density of 4.59 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2. Acting on a motion by Mr. Archer, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Land Use Plan and it represents a logical continuation of the one-family residential development which exists in the area. **(Deferred from the June 14, 2022, meeting; Deferral requested to the September 13, 2022, meeting.)**
- REZ2022-00019
Three Chopt
- Pemberton Investments, LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to R-5AC General Residence District (Conditional) part of Parcel 739-755-4897 containing 10.517 acres located on the west and east lines of John Rolfe Parkway at its intersection with Pump Road. The applicant proposes a residential development of detached dwellings. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and

proffered conditions. The 2026 Comprehensive Plan recommends Open Space/Recreation (OS/R), Suburban Residential 2, density should not exceed 3.4 units per acre, and Office. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it represents a logical continuation of the one-family residential development which exists in the area.

PUP2022-
00015
Brookland

MJF Maywill, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-3708 of Chapter 24 of the County Code to allow a multifamily residential development with commercial uses on Parcel 776-737-5035 located on the north line of Thalbro Street at its intersection with Westmoreland Street. The existing zoning is M-1 Light Industrial District. The 2026 Comprehensive Plan recommends Heavy Industry. The site is in the Westwood Redevelopment Overlay District. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide added residential services to the community and the conditions should minimize the potential impacts on surrounding land uses.

REZ2022-
00020
Three Chopt

HHH Land LLC: Request to conditionally rezone from A-1 Agricultural District and R-4C One-Family Residence District to R-5AC General Residence District (Conditional)(.872 acres) and R-6C General Residence District (Conditional) (6.409 acres) Parcels 739-766-6963 -8964, -9452, 740-766-0541, and -4846 totaling 7.281 acres located on the east line of Pouncey Tract Road (State Route 271) approximately 370' north of its intersection with Twin Hickory Lake Drive. The applicant proposes residential condominiums and single-family dwellings. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The R-6 District allows for multifamily dwellings with a maximum gross density of 19.8 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Suburban Mixed Use, density should not exceed 4 units per acre. The site is in the West Broad Street Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request it continues a form of zoning consistent with the area and the proffered conditions will assure a level of development otherwise not possible.

REZ2022-
00022
Three Chopt

Stanley Martin Homes, LLC: Request to rezone from R-5AC General Residence District (Conditional) to C-1 Conservation District part of Parcel 752-773-1086 containing 11.6 acres located approximately 100' southeast of the terminus of Maben Hill Lane extending approximately 2,486' east and west along the floodplains of Allen's Branch and the Chickahominy River. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area.

Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it is reasonable and it conforms to the recommendations of the Land Use Plan.

REZ2022-00021
Fairfield

HHHunt River Mill, LLC: Request to conditionally rezone from R-5AC General Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 779-774-3651 containing 5.11 acres located approximately 500' northwest of the terminus of Winfrey Road extending approximately 1,700' north along the floodplain of the Chickahominy River. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area. Acting on a motion by Mr. Archer, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it is reasonable and it conforms to the recommendations of the Land Use Plan.

REZ2022-00023
Fairfield

Doswell Ventures, LLC: Request to conditionally rezone from R-4 One-Family Residence District and B-3C Business District (Conditional) to B-3C Business District (Conditional) Parcels 781-761-6051 and -4638 containing 2.03 acres located on the west line of Mountain Road approximately 45' south of its intersection with New York Avenue. The applicant proposes contractor service and office uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. Acting on a motion by Mr. Archer, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the employment use supports the County's economic development policies and it is appropriate business zoning in this area.

PUBLIC HEARINGS - OTHER ITEMS

RESOLUTION - Amendments to FY 2022-23 Annual Fiscal Plan - August 2022.

The Board approved a resolution on July 26, 2022, that received requests to appropriate funds for certain programs, directed their advertisement, and set the date for a public hearing. This paper, if approved after the public hearing, would amend the Annual Fiscal Plan and appropriate funds for expenditure for the indicated purposes.

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

ORDINANCE - To Amend and Reordain Section 20-59 Titled "Agricultural, horticultural, forest and open space uses" of the Code of the County of Henrico to Conform to 2022 Changes in State Law Regarding Land Use Assessments.

This Board paper would update the County Code to reflect changes in state law regarding land use assessments that took effect on July 1, 2022. The changes direct the state

department of taxation to prepare uniform forms for the annual revalidation of land use assessment applications. The changes also allow the owner of an undivided interest in real property to apply for land use assessment on behalf of all owners of the property.

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

ORDINANCE - To Amend and Reordain Section 20-625 Titled “Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sale contracts” of the Code of the County of Henrico to Conform to 2022 Changes in State Law Regarding Local Business License Taxes.

This Board paper would update the County Code to reflect changes in state law regarding local business license taxes that took effect on July 1, 2022. The change exempts directors of bank or trust companies from local business license taxes. This change is not expected to have a significant effect on County revenues.

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

ORDINANCE - To Amend and Reordain Section 5-1 Titled “Definitions” and Repeal and Reserve Section 5-30 Titled “Control of dangerous or vicious dogs” and Section 5-31 Titled “Vicious dogs” of the Code of the County of Henrico to Rely on State Regulations of Dangerous and Vicious Dogs as Amended by the General Assembly.

This ordinance repeals local regulations of dangerous and vicious dogs and to rely instead on state regulations as amended by the General Assembly. Reliance on state regulations promotes public safety by allowing for consistent enforcement of uniform regulations across the Commonwealth. State regulations also allow for increased penalties in serious cases involving vicious dogs.

The Chief of Police recommends approval of the Board paper, and the County Manager concurs.

ORDINANCE - To Amend and Reordain Section 22-36 Titled “Unnecessary noise in operation of vehicle” of the Code of the County of Henrico to Conform to 2022 Changes in State Law and Regulate Vehicle Exhaust Noise.

This Board paper would update the County Code to reflect changes in state law regarding vehicle exhaust noise that took effect on July 1, 2022. The change in state law repealed the County’s authority to regulate motorcycle, moped, or motorized skateboard or scooter noise, but allows the County to enact an ordinance to regulate exhaust noise from vehicles driven on a highway within the County.

The Chief of Police recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Lease of County Property - 11100 Winfrey Road - Brookland District.

This Board paper authorizes the County Manager to execute a deed of lease with Ben A. Sheppard for the single-family dwelling at 11100 Winfrey Road. The lease would be for a one-year term beginning September 1, 2022, and ending August 31, 2023. Mr. Sheppard will pay a monthly rent of \$1,100 and perform routine maintenance of the dwelling. The parties may agree to renew and extend the lease term. Mr. Sheppard is an employee of the County's Public Relations Department. Mr. Sheppard has not participated in the negotiation of this lease in his official capacity.

The Directors of Real Property and Recreation and Parks recommend approval of this Board paper; the County Manager concurs.

RESOLUTION - Condemnation - Right-of-Way and Easements - Richmond-Henrico Turnpike Improvements Project - 4490 and 4500 Richmond-Henrico Turnpike - Fairfield District.

This Board paper authorizes condemnation proceedings for property that is needed for the construction of the Richmond-Henrico Turnpike Improvements Project.

The County needs to acquire right-of-way, permanent drainage and utility easements, and temporary construction easements across the property located at 4490 and 4500 Richmond-Henrico Turnpike and owned by Teshana D. Gipson, Trustee. Based on an independent appraisal, the County offered \$44,613 for the required property interests, but the parties have not reached an agreement.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the right-of-way and easements, to take all steps necessary to acquire the right-of-way and easements, and to enter on and take possession of the required right-of-way and easements in accordance with the Code of Virginia.

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

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION - To Create the Sports and Entertainment Authority of Henrico County, Virginia, Pursuant to the Public Recreational Facilities Authorities Act and Setting Forth the Articles of Incorporation of the Authority.

This Board paper would introduce for advertisement and a public hearing on September 13, 2022, a resolution to create the Sports and Entertainment Authority of Henrico County, Virginia. The resolution sets forth the Articles of Incorporation of the new Authority,

including initial members of the Authority's board, the powers and purposes of the Authority, and the initial meeting of the board, among other matters.

The Executive Director of the Sports and Entertainment Authority recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Approval of American Medical Response Mid-Atlantic to Operate a Medical Transport Service in Henrico County.

This Board paper approves American Medical Response to provide medical transport services within the County. This approval does not authorize American Medical Response to respond to calls for emergency 911 services from the general public except when requested by the County through its EMS system.

Comments: The Fire Chief recommends approval of this Board paper; the County Manager concurs.

RESOLUTION - Award of Contract - Annual Construction Services - Concrete and Asphalt Rehabilitation.

This Board paper awards a unit price contract for \$332,530 to Colony Construction, Inc. for annual concrete and asphalt rehabilitation services. The project consists of miscellaneous concrete and asphalt rehabilitation projects of various County property roadways, parking areas, and ramps throughout the County.

The contract term shall be 12 months from the effective date.

The County received five bids on May 24, 2022, in response to ITB No. 22-2338-4EAR. The bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Colony Construction, Inc. Powhatan, VA	\$332,530
Finley Asphalt & Sealing, Inc. Ashland, VA	\$351,305
Talley & Armstrong, Inc. Henrico, VA	\$478,810
Blakemore Construction Corporation Rockville, VA	\$488,283
Lee Hy Paving Corp. Glen Allen, VA	\$689,500

Based upon a review of the bids, Colony Construction, Inc. is the lowest responsive and responsible bidder.

The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Adoption of Procedures for Design-Build Contracts.

This Board paper would implement procedures for procuring design-build contracts. A “design-build contract” is a contract between a public body and another party in which the party contracting with the public body agrees to both design and build the item specified in the contract.

As required by law, the proposed procedures are consistent with (i) the design-build procedures adopted by the Virginia Secretary of Administration and (ii) the standards for a two-step competitive negotiation process established by the Virginia Department of General Services, Division of Engineering and Buildings.

The Director of Purchasing recommends approval of this Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - 205 Roxbury Industrial Center - Charles City County, Virginia.

This Board paper authorizes the County Manager to execute a lease amendment for the lease of 6,850 square feet at 205 Roxbury Industrial Center in Charles City County. The space is leased for the Cypress Enterprises day support and workshop program of the Henrico Area Mental Health and Developmental Services. The program serves persons with intellectual disabilities living in eastern Henrico County and Charles City County.

The current lease has an annual rent of \$42,564, and it expires on August 31, 2022. The amendment would extend the lease for five years at an annual rent of \$46,824.

This lease is subject to annual appropriation. The Directors of Henrico Area Mental Health and Developmental Services and Real Property recommend approval of this Board paper; the County Manager concurs.

RESOLUTION - Approval of Acquisition - Right-of-Way and Easements - Sadler Road Improvements Project - 4328 Sadler Road - Three Chopt District.

This Board paper would authorize the acquisition of right-of-way and easements across the property located at 4328 Sadler Road owned by Raymond C. Haithcock for the Sadler Road Improvements Project.

On November 9, 2021, the Board authorized condemnation proceedings to acquire the right-of-way and easements. On December 16, 2021, the County filed a Certificate of Take and deposited \$140,638 with the Clerk of the Henrico County Circuit Court to acquire the right-of-way and easements. On June 14, 2022, the County filed a Petition for Condemnation to institute proceedings to determine just compensation in accordance with state law.

Following negotiations between the parties, the Owner is willing to accept \$250,000 as just compensation for the right-of-way and easements. Upon completion of the acquisition, the condemnation proceedings will be dismissed.

The Directors of Real Property and Public Works and the Deputy County Manager for Community Operations recommend approval of the Board paper; the County Manager concurs.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 10-67 Titled “Penalty and enforcement” and Section 10-68 Titled “Prohibited noises enumerated” of the Code of the County of Henrico to Limit Daytime Noise in Residential Areas from Stereos, Televisions, Musical Instruments, and Similar Devices.

This Board paper introduces for advertisement and a public hearing on September 13, 2022, a proposed amendment to the County’s noise ordinance. The amendment would prohibit daytime noise from sound-producing devices in residential areas when the sound is plainly audible in the dwelling of another. Violations between 7:00 a.m. and 11:00 p.m. could result in a fine if observed by a police officer. Noise from recreational facilities and urban mixed-use areas would be exempted under the proposed ordinance.

The Chief of Police recommends approval of the Board paper, and the County Manager concurs.