

AGENDA
Board of Supervisors
County of Prince George, Virginia
Regular Meeting: March 26, 2019
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

Regular Meeting

Closed Session
6:00 p.m.

Business Meeting
7:00 p.m.

***Public Hearings Will Be Heard at 7:30 p.m.**

CALL TO ORDER

Roll Call

CLOSED SESSION

- E-1. Resolution; Closed Session Motion with Topics and Code Section References to be Provided at Board Meeting.

- E-2. Resolution; “Certification of Closed Session” Certifying that Only those Items Contained in the Closed Session Motion were Discussed.

INVOCATION

PLEDGE OF ALLEGIANCE TO U.S. FLAG

PUBLIC COMMENTS

ADOPTION OF AGENDA

ORDER OF CONSENSUS

- C-1. Draft Minutes – March 7, 2019 Budget Work Session and March 12, 2018 Regular Meeting.

- C-2. Resolution; Commendation; Micheal E. Malandro; President and CEO of PGEC, Honoring 16 years of Service to the Prince George County Community.

- C-3. Resolution; Proclamation; Census Awareness Day.

C-4. Resolution; Budget Amendment and Appropriation (\$123,655 Fire Program Funds).

PRESENTATIONS

S-1. Resolution; Commendation; Micheal E. Malandro; Broadband.

S-2. The Grand Lodge (Masons) of Virginia A.F. & A.M. Presents Child ID Equipment to Commonwealth Attorney's Office.

SUPERVISORS' COMMENTS

COUNTY ADMINISTRATOR'S COMMENTS

REPORTS

Employee Day to Serve – Corrie Hurt

TABLED ITEMS

ORDER OF BUSINESS

A-1. Resolution; Award of Contracts (\$12,990 And \$48,447 Utility Title Examinations/Search).

A-2. Resolution; Award of Contracts for Annual Engineering Services.

A-3. Resolution; Memorandum of Understanding Between Prince George County and Sussex County Relating to Animal Services.

PUBLIC HEARINGS

P-1. Public Hearing; Adoption of an Ordinance to amend "The Code of The County of Prince George, Virginia", 2005, as amended, by amending § 82-236, 82-261, 82-511, and 82-536 to modify requirements related to payment of utility connections fees.

P-2. Public Hearing; Adoption of an Ordinance to amend "The Code of The County of Prince George, Virginia", 2005, as amended, by adding § 82-49 requiring the installation of a rain sensor for future automatic irrigation systems connected to a public water source to prevent excessive irrigation during periods of rain.

P-3. Public Hearing; Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," 2005, as amended, by amending § 82-71, 82-75, 82-391, and 82-395 requiring new subdivisions and development within the planning area to construct water and sewer improvements in accordance with county approved plans and to pay their pro rata share for such improvements.

P-4. Public Hearing; SPECIAL EXCEPTION SE-19-01 Request of Petersburg Cellular Partnership (d/b/a Verizon Wireless) to construct a 199-foot monopole communication tower pursuant to 90-53 (15) within the A-1, General Agricultural Zoning District. The subject property is located east of Anderson Lumber at 15610 James River Drive on the

north line of Route 10 and is identified as Tax Map 270(0A)00-036-C. The Comprehensive Plan indicates that the subject property is appropriate for agricultural uses.

- P-5. Public Hearing; REZONING CASE RZ-18-02 Request of Nathaniel E. Dozier Jr. to conditionally rezone approximately 31 acres along County Drive from R-A, Residential-Agricultural to B-1, General Business Zoning District to permit certain uses. The subject property is located at 5200 County Drive and the parcels are known as Tax Map Numbers: 340(0A)00-117-0, 340(0A)00-118-0, and 340(0A)00-119-0. The Comprehensive Plan indicates that the subject property is appropriate for commercial uses.

ADJOURNMENT

Board meeting format: Executive Meeting at 5:00 p.m., followed by a Business Meeting at 7:00 p.m. with Public Hearings being heard at 7:30 p.m. **Visit Prince George County website for information www.princegeorgeva.org.**

MINUTES
Board of Supervisors
County of Prince George, Virginia

March 26, 2019

County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

MEETING CONVENED. A regular meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 6:00 p.m. on Tuesday, March 26, 2019 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Donald R. Hunter, Chairman.

ATTENDANCE. The following members responded to Roll Call:

Donald R. Hunter, Chairman	Present
Floyd M. Brown, Jr., Vice-Chairman	Present
Alan R. Carmichael	Present
Marlene J. Waymack	Present
T. J. Webb	Present

Also present was: Jeff Stoke, Deputy County Administrator; and Steve Micas, County Attorney.

CLOSED SESSION

E-1. Resolution; Closed Session for: (1) discussion of the performance and disciplining of a specific employee pursuant to Section 2.2-3711(A)(1), Code of Virginia, 1950, as amended. Mrs. Waymack made a motion, seconded by Mr. Brown, that the Board convene closed session for: (1) discussion of the performance and disciplining of a specific employee pursuant to Section 2.2-3711(A)(1), Code of Virginia, 1950, as amended.

R-19-040

E-1.

RESOLUTION; CLOSED SESSION (1) DISCUSSION OF THE PERFORMANCE AND DISCIPLINING OF A SPECIFIC EMPLOYEE PURSUANT TO SECTION 2.2-3711(A)(1), CODE OF VIRGINIA, 1950, AS AMENDED

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 26th day of March, 2019, does hereby vote to enter closed session for (1) discussion of the performance and disciplining of a specific employee pursuant to Section 2.2-3711(A)(1), Code of Virginia, 1950, as amended.

On roll call the vote was:

In favor: (5) Hunter, Brown, Waymack, Webb, Carmichael

Opposed: (0)

Absent: (0)

E-2. Resolution; Certification of Closed Session. At 7:00 p.m., Mr. Brown made a motion, seconded by Mrs. Waymack, that the Board adjourn the closed session and enter open session, certifying that to the best of each Board Members' knowledge (1) only public business lawfully exempted from open meeting requirements were discussed and (2) only matters identified in the convening motion were discussed. Chairman Hunter asked if any Board member knew of any matter discussed during the closed session that was not announced in its convening legislation. Hearing no comment from the Board, the Chairman asked that the roll be called on the motion.

R-19-040A

E-2.

**RESOLUTION; CERTIFICATION OF CONTENTS OF CLOSED SESSION
PURSUANT TO SEC. 2.2-3711, ET SEQ., CODE OF VIRGINIA (1950, AS
AMENDED)**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 26th day of March, 2019 does hereby certify that, to the best of each Board Member's knowledge, (1) only public business lawfully exempted from open meeting requirements were discussed, and (2) only matters identified in the convening motion were discussed.

On roll call the vote was:

In favor: (5) Brown, Waymack, Webb, Carmichael, Hunter

Opposed: (0)

Absent: (0)

Invocation. Mr. Brown gave the Board's invocation.

Pledge of Allegiance to U.S. Flag. Mr. Webb led the Pledge of Allegiance to the U.S. Flag.

PUBLIC COMMENTS. Chairman Hunter announced that anyone wishing to come before the Board may do so at this time. He noted that this was the time for unscheduled general public comments. He opened the public comments at 7:03 p.m. There was no one to speak and the public hearing was closed.

APPROVAL OF AGENDA. Mr. Webb made a motion, seconded by Mr. Carmichael, to adopt the agenda as presented. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

ORDER OF CONSENSUS. Mr. Brown made a motion, seconded by Mrs. Waymack, that the consensus agenda be approved as presented. Roll was called on the motion.

C-1. Draft Minutes – March 7, 2019 Budget Work Session and March 12, 2018 Regular Meeting were approved as presented.

R-19-041

C-2.

(a) RESOLUTION; COMMENDATION; MICHEAL E. MALANDRO;
PRESIDENT AND CEO OF PGEC, HONORING 16 YEARS OF SERVICE TO THE
PRINCE GEORGE COUNTY COMMUNITY

(b)

WHEREAS, Mr. Micheal E. Malandro received his B.S. in Electrical Engineering from West Virginia University and is a graduate of the NRECA Management Program at the University of Wisconsin. He is a Professional Engineer licensed in the Commonwealth of Virginia.

WHEREAS, Mr. Malandro has worked in the electric utility business since 1999 and has been with Prince George Electric Cooperative since February 2003. Mr. Malandro first worked as a System Engineer and then as Vice President of Engineering from March 2004 to November 2014.

WHEREAS, Mr. Micheal E. Malandro has served as President and CEO of Prince George Electric Cooperative since November 2014.

WHEREAS, Mr. Malandro is a Board Member of both Old Dominion Electric Cooperative and the Virginia Maryland Delaware Association of Electric Cooperatives.

WHEREAS, on June 16, 2017, Mr. Micheal E. Malandro, on behalf of PGEC Enterprises, LLC, signed a public/private partnership agreement with Prince George County and the Prince George County Industrial Development Authority to bring an innovative fiber to the home broadband solution to the citizens and businesses of Prince George County. Today, over 340 connections and growing have been established for this award-winning model for rural America.

WHEREAS, Mr. Malandro has a passion for bringing all the advantages of today's evolving technology to rural America and currently serves on the Board of Directors of the National Rural Telecommunications Cooperative (NRTC).

WHEREAS, on April 1, 2019, Mr. Micheal E. Malandro will become the President and CEO of Choptank Electric Cooperative of Denton, Maryland.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 26th day of March, 2019, does hereby commend Mr. Micheal E. Malandro for dedicated service to the County and its citizens; and

BE IT FURTHER RESOLVED that this Board wishes to extend to Mr. Malandro much happiness and continued success as he enters the next phase of his professional career.

R-19-041A

C-3.

RESOLUTION; PROCLAMATION; CENSUS AWARENESS DAY – APRIL 1

WHEREAS, every ten years, Article 1, Section 2 of the United States Constitution mandates a count of all the people living in the United States and its territories; and

WHEREAS, the 2020 Census will address every household in the nation with a simple questionnaire with the goal of counting everyone once, only once, and in the right place; and

WHEREAS, data obtained by the survey will be used to help determine how approximately \$675 billion will be distributed from the federal government to state, local, and tribal governments annually; and

WHEREAS, up to \$2,000 of federal funding will be lost for each person not counted; as well as upwards of \$20,000 of federal funding lost every ten years; and

WHEREAS, a complete count requires that we bring together leaders from all communities of the Commonwealth, so that every Virginian regardless of racial, social, or economic background is counted; and

WHEREAS, Governor Ralph S. Northam has established the Virginia Complete Count Commission, which is comprised of 40 members to collaborate with community partners and local Complete Count Committees to ensure an accurate 2020 Census count;

NOW, THEREFORE, BE IT RESOLVED that the Prince George County Board of Supervisors hereby proclaims April 1st, 2019, as Census Awareness Day.

R-19-041B

C-4.

Section I RESOLUTION; BUDGET AMENDMENT AND APPROPRIATION (\$123,655 FIRE PROGRAM FUNDS)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 26th day of March, 2019, does hereby authorize and appropriate the following increase of funds within the 2018-2019 Budget, such line items increased as follows, which monies to be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
0100-03-200-0604-48248 Prince George VFD: Fire Program Funds	\$22,482.73
0100-03-200-0605-48248 Disputanta VFD: Fire Program Funds	\$22,482.73
0100-03-200-0606-48248 Carson VFD: Fire Program Funds	\$22,482.73
0100-03-200-0607-48248 Burrowsville VFD: Fire Program Funds	\$22,482.73
0100-03-200-0608-48248 Jefferson Park VFD: Fire Program Funds	\$22,482.73
0100-03-200-0617-48248 Station 7: Fire Program Funds	\$11,241.35
 <u>Revenue:</u>	
0100-20-601-8201-324201 General Fund: Fire Program Funds	\$123,655.00

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

Section II

PRESENTATIONS

S-1. Resolution; Commendation; Micheal E. Malandro; Broadband. Chairman Hunter presented the commendation to Mr. Malandro.

S-2. The Grand Lodge (Masons) of Virginia A.F. & A.M. Presents Child ID Equipment to Commonwealth Attorney's Office. Ms. Susan Fierro, Commonwealth Attorney, and the Board accepted the Child ID Equipment on behalf of Prince George County.

SUPERVISORS' COMMENTS

Mrs. Waymack reminded the public of the Food Bank. She stated that it is a great place where the staff is very friendly and helpful.

Mr. Brown congratulated the first responders that went into action during the recent charter bus wreck in Prince George County. He stated that this County should be very proud of its volunteers and staff. He also stated that he was proud to attend Drug Court Graduation and that it was nice to see people get a second chance. He congratulated the Court System and the Police and Sheriff's Offices. Mr. Brown also thanked the County employees that picked up trash on Day to Serve.

Mr. Webb thanked Fort Lee for helping out by providing translators during the charter bus wreck.

Mr. Carmichael echoed comments regarding the bus wreck stating that he was very proud to be a part of Prince George County.

Mr. Hunter shared his thoughts of the events that took place during the day of the charter bus wreck. He stated that while all of that was going on, the Police and Fire and EMS still continued to take care of the County's citizens and business. In Mr. Ashcraft's absence, Mr. Hunter suggested everyone look at the County calendar for events coming up.

REPORTS

Employee Day to Serve - Ms. Corrie Hurt, Human Resources Director, stated that Employee Day to Serve is a unique initiative that unites employees with the shared goal of helping those in need and improving the communities in which they live and work. At this time litter cleanup was chosen for the Day to Serve because litter cleanup had a direct positive impact on the environment and the community by helping reduce pollution and increasing environment awareness and building pride within the County. Fifty-four employees participated in the event and litter was picked up along Prince George Drive (Route 156) and Jefferson Park Road. Prince George County Schools provided a bus and driver at no cost and Jefferson Park Fire Station provided a van and driver. Employees collected 217 bags of trash along with tires and large debris that couldn't fit in the trash bags. Employees walked a total of 391,497 steps within the four hour period. Lunch was served afterward. Ms. Hurt added that Community Clean Day will be held on April 20 where citizens will have an opportunity to dispose of tires, shredding and hazardous materials. White goods, yard debris and household items such as mattresses will be accepted at the CFS/Prince George Convenience Center at no charge between 8 am and 1 pm. If the community is interested in picking up litter along the highways or wants to adopt a highway, contact Valerie Mann in General Services at 804-722-0775 and she will direct them on the next steps.

PUBLIC HEARING

P-1. Public Hearing; Adoption of an Ordinance to amend "The Code of The County of Prince George, Virginia", 2005, as amended, by amending § 82-236, 82-261, 82-511, and 82-536 to modify requirements related to payment of utility connections fees. Mr. Frank Haltom, County Engineer, stated that the proposed amendment adds the requirement that single-family dwelling connection fees shall be paid at the time of application (i.e. prior to meter installation) for combined water and sewer service or water-only service. It also adds the requirement that connection fees for sewer-only service for a single-family dwelling, or uses other than single-family homes shall be paid prior to receiving a building permit. This amendment also makes minor revisions to address conflicts with other sections of the utility ordinance. Chairman Hunter opened the public hearing at 7:33 pm. There was no one to speak the public hearing was closed. Mr. Brown made a motion, seconded by Mr. Webb, to approve the ordinance amendment as presented. Roll was called on the motion.

O-19-03

P-1.

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY AMENDING § 82-236, 82-261,

82-511, AND 82-536 TO MODIFY REQUIREMENTS RELATED TO PAYMENT OF UTILITY CONNECTIONS FEES.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) *That The Code of The County of Prince George, Virginia, 2005, as amended, is amended by amending § 82-236, 82-261, 82-511, and 82-536 as follows:*

Sec. 82-236. - Payment of Utility bills.

(c) When application is made for combined water and sewer service or water only service for a single-family dwelling, connection fees shall be paid at the time of application for service.

(d) When application is made for uses other than single-family homes, connections fees shall be paid prior to receiving a building permit.

Sec. 82-261: Connection charge schedule.

Notes:

1. For single-family dwellings served by a private water supply at the time a newly constructed utility line is completed, a ~~56 percent~~ discount in the list connection charges ~~shall~~ may be offered, subject to the conditions of section 82-110.
2. Developer-installed charge shall be assessed for each single-family residential unit, as defined in section 82-31, included in the development connecting to a line installed by the developer ~~at the time an application for utility service is first filed by the developer~~ or any subsequent owner of the lot or premises within the development. Commercial or industrial uses included in any development shall be assessed at the charges listed in the schedule. Developer-installed connection charges shall be subject to the credits provided for in section 82-73.

Sec. 82-511. - Payment of utility bills.

(c) When application is made for sewer only service for a single-family dwelling, connections fees shall be paid prior to receiving a building permit.

(d) When application is made for combined water and sewer service or water only service for a single-family dwelling, connection fees shall be paid at the time of application for service.

(e) When application is made for uses other than single-family homes, connections fees shall be paid prior to receiving a building permit.

Sec. 82-536. - Connection charge schedule.

Notes:

1. For single-family dwellings served by a private wastewater disposal system at the time a newly constructed utility line is completed, a ~~56 percent~~ discount in the listed connection charges ~~shall~~ may be offered, subject to the conditions of section 82-429.
2. Developer-installed charge shall be assessed for each single-family residential unit, as defined in section 82-351, included in the development connecting to a line installed by the developer ~~at the time an application for utility service is first filed by the developer~~ or any subsequent owner of each lot or premises within the development. Commercial or industrial uses included in any development shall be assessed at the charges listed in the schedule. Developer-installed connection charges shall be subject to the credits provided for in section 82-393.

(2) That this Ordinance shall be effective immediately upon adoption.

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

P-2. Public Hearing; Adoption of an Ordinance to amend “The Code of The County of Prince George, Virginia”, 2005, as amended, by adding § 82-49 requiring the installation of a rain sensor for future automatic irrigation systems connected to a public water source to prevent excessive irrigation during periods of rain. Mr. Haltom stated that the Department of Environmental Quality (DEQ) requires public water conveyers to adopt a water conservation plan to address periods of drought and/or water shortage. The County’s conservation plan is included in the County ordinance section 82-40. In addition, DEQ requires a public utility to regulate the use of automatic irrigation systems connected to a public water source to prevent excessive irrigation during periods of rain. Therefore, amendments to Chapter 82 of the County ordinance are recommended to comply with the state regulation. The intent of the regulation is to require automatic irrigation systems to include a rain sensor that will shut off the irrigation when a predetermined amount of rain has fallen, thereby conserving water. This ordinance will become effective on May 1, 2019 and does not require existing irrigation systems to be retrofitted to be compliant with this ordinance. Chairman Hunter opened the public hearing at 7:37 p.m. There was no one to speak and the public hearing was closed. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the ordinance amendment as presented. Roll was called on the motion.

O-19-04

P-2.

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY ADDING § 82-49 REQUIRING THE INSTALLATION OF A RAIN SENSOR FOR FUTURE AUTOMATIC

**IRRIGATION SYSTEMS CONNECTED TO A PUBLIC WATER SOURCE TO
PREVENT EXCESSIVE IRRIGATION DURING PERIODS OF RAIN.**

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) That The Code of The County of Prince George, Virginia, 2005, as amended, is amended by adding § 82-49, as follows:

Sec. 82-49. – Use of Automatic Irrigation System.

(a) Definitions. For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them as follows:

Automatic irrigation system. A device or combination of devices having a hose, pipe, or other conduit installed in the landscape which transmits County water, through which device or combination of devices County water or a mixture of County water and chemicals is drawn and applied to residential or commercial lawns, landscapes or greenspace.

Rain sensor. An electronic device that measures rainfall and will override the irrigation cycle of an automatic irrigation system, thus turning it off, when a predetermined amount of rain has fallen.

(b) Requirements.

- (1) In order to protect the public, health and welfare and insure the integrity of the water system, all irrigation systems installed or upgraded in Prince George County and supplied water by the County after May 1, 2019, shall have a rain sensor gauge, or similar shutoff device approved by the County, set at one-fourth inch or less such that the system is turned off when one-fourth inch or more rain has fallen. To meet the requirements of this section, the rain sensor shall be mounted in an open area outdoors, above ground in an unobstructed location, well suited for gauging rain, according to the manufacturer's specifications. The rain sensor shall override the irrigation controller when adequate rainfall has occurred, which will prevent the automatic irrigation system from watering during rainfall.
- (2) Prince George Utilities' customers with automatic irrigation systems that were installed prior to May 1, 2019, without a rain sensor are encouraged to install a rain sensor.
- (3) All automatic irrigation systems must have a backflow prevention device.
- (4) Requirements of section 82-40 still apply notwithstanding any provisions in this ordinance.

(c) Maintenance.

All rain sensors shall be adjusted and set at one-fourth inch or less so that they automatically shut off when one-fourth inch of rain has fallen. All rain sensors shall be installed according to the manufacturer's instructions in a location that will provide full exposure to rainfall such that accuracy of operation is assured and shall be maintained in good working condition. No person shall adjust either the rain sensor or automatic irrigation system so that the rain sensor is not able to override and turn off the automatic irrigation system after one-fourth inch of rain has fallen. The rain sensor shall automatically interrupt the watering schedule of the automatic irrigation system and return it to its normal schedule after the rain event ends.

(2) That this Ordinance shall be effective immediately upon adoption.

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

P-3. Public Hearing; Adoption of an Ordinance to amend “The Code of the County of Prince George, Virginia,” 2005, as amended, by amending § 82-71, 82-75, 82-391, and 82-395 requiring new subdivisions and development within the planning area to construct water and sewer improvements in accordance with county approved plans and to pay their pro rata share for such improvements. Mr. Haltom stated that this is a public hearing to amend Chapter 82 requiring new subdivisions and developments within the defined planning area to construct water and sewer infrastructure improvements in accordance with the adopted Water and Sewer Master Plan and other County approved improvement plans and requiring to pay their pro rata share for such improvements. The amendments to ordinance include the following: Sec. 82-71 & 82-391. - Applicability of certain provisions. Revises the provisions of sections 82-72 through 82-76, inclusive, and sections 82-392 through 82-396, inclusive, to apply to all development within the Prince George County Planning area only, instead of only residential development. Sec. 82-75 and Sec. 82-395. - Development within the Prince George Planning Area. Adds the requirement that new developments shall have no appreciable detrimental effect upon the functioning of the existing system of water and sewerage facilities. It further requires as a condition of subdivision or development approval, where the County’s Water and Sewer Master Plan, or otherwise approved improvement plan, has established an improvement within the planning area and improvements are constructed to serve the demands generated by subdivisions and developments within that area, each developer whose project will be served by such improvements may be required to pay its pro rata share of the cost of providing such improvement. The pro rata share shall be based upon the impact that a development has upon the total rate of flow of water and/or sewerage to such improvements. Once an improvement plan has been established for an area, approval of all subdivisions and developments within the area shall be subject to the compatibility of the plan, including construction and utilization of water and/or sewer improvements by such subdivisions or developments in accordance with the terms of the plan. Where a developer constructs improvements designed to service other developments as provided for in an established water and/or sewer improvement plan and the cost of constructing such improvements exceeds the value of the developer's pro rata obligations as determined by the county, any subsequent developer utilizing those improvements shall reimburse the party constructing such improvements for the cost of such construction in accordance with the degree to which such developer utilizes such improvements as determined by the county. Chairman Hunter opened the public hearing at 7:41 pm. There was no one to speak and the public hearing was closed. Mr. Brown made a motion, seconded by Mrs. Waymack, to approve the ordinance amendment as presented. Mr. Haltom clarified for Mr. Carmichael how this would coincide with anyone who want to tap into a forcemain. Roll was called on the motion.

O-19-05

P-3.

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY AMENDING § 82-71, 82-75, 82-391, AND 82-395 REQUIRING NEW SUBDIVISIONS AND DEVELOPMENT

WITHIN THE PLANNING AREA TO CONSTRUCT WATER AND SEWER IMPROVEMENTS IN ACCORDANCE WITH COUNTY APPROVED PLANS AND TO PAY THEIR PRO RATA SHARE FOR SUCH IMPROVEMENTS.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

- (1) *That The Code of The County of Prince George, Virginia, 2005, as amended, is amended by amending § 82-71, 82-75, 82-391, and 82-395 as follows:*

Sec. 82-71. - Applicability of certain provisions.

The provisions of sections 82-72 through 82-76, inclusive, shall apply to ~~residential~~ development within the Prince George County Planning area only.

Sec. 82-75. - Development within the Prince George Planning Area.

- (d) A proposed subdivision or development shall be so designed as to have no appreciable detrimental effect upon the functioning of the existing system of water and sewerage facilities and improvements in the area. A subdivider shall provide all those improvements necessary to ensure that the water and wastewater demands created by the subdivision or development are properly serviced.
- (e) Where the County has established a water and sewer improvement plan for an area having related and common water and sewer conditions, and improvements are constructed to serve the demands generated by subdivisions and developments within that area, each subdivider or developer whose project will be served by such improvements may be required as a condition of subdivision or development approval to pay its pro rata share of the cost of providing such improvement. Such share shall be based upon the impact which a subdivision or development has upon the rate of flow of water and/or sewerage through such improvements, with such impact expressed as a percentage of the total rate of flow such improvements are intended to service. That percentage shall then be applied to the total cost of designing and installing such improvements to determine the value of the pro rata share required.
- (f) Once an improvement plan has been established for an area, approval of all subdivisions and developments within the area shall be subject to the compatibility of the subdivisions or developments with such plan, including construction and utilization of water and/or sewer improvements by such subdivisions or developments in accordance with the terms of the plan.
- (g) Where a subdivider or developer constructs such improvements designed to service other subdivisions or developments as provided for in an established water and/or sewer improvement plan and the cost of constructing such improvements exceeds the value of the subdivider's or developer's pro rata obligations as determined by the County pursuant to this section, any subsequent subdivider or developer utilizing such improvements, in accordance with such plan shall reimburse the subdivider or developer constructing such improvements for the cost of such construction in accordance with the degree to which such subdivider or developer utilizes such improvements as determined by the county. However, a subdivider or developer constructing such improvements may transfer to the county its right to such reimbursement in regard to water and sewer improvements in exchange for being given entitlement to the connection fees imposed upon the lots within its subdivision or development pursuant to section 82-261. Such entitlement shall not exceed the value of the pro rata payment to which such subdivider or developer would otherwise be entitled as determined by the County.

Sec. 82-391. - Applicability of certain sections.

The provisions of sections 82-392 through 82-396, inclusive, shall apply to ~~residential~~ development within the Prince George County Planning area only.

Sec. 82-395. - Development within the Prince George Planning Area.

- (d) A proposed subdivision or development shall be so designed as to have no appreciable detrimental effect upon the functioning of the existing system of water and sewerage

- facilities and improvements in the area. A subdivider shall provide all those improvements necessary to ensure that the water and wastewater demands created by the subdivision or development are properly serviced.
- (e) Where the County has established a water and sewer improvement plan for an area having related and common water and sewer conditions, and improvements are constructed to serve the demands generated by subdivisions and developments within that area, each subdivider or developer whose project will be served by such improvements may be required as a condition of subdivision or development approval to pay its pro rata share of the cost of providing such improvement. Such share shall be based upon the impact which a subdivision or development has upon the rate of flow of water and/or sewerage through such improvements, with such impact expressed as a percentage of the total rate of flow such improvements are intended to service. That percentage shall then be applied to the total cost of designing and installing such improvements to determine the value of the pro rata share required.
 - (f) Once an improvement plan has been established for an area, approval of all subdivisions and developments within the area shall be subject to the compatibility of the subdivisions or developments with such plan, including construction and utilization of water and/or sewer improvements by such subdivisions or developments in accordance with the terms of the plan.
 - (g) Where a subdivider or developer constructs such improvements designed to service other subdivisions or developments as provided for in an established water and/or sewer improvement plan and the cost of constructing such improvements exceeds the value of the subdivider's or developer's pro rata obligations as determined by the County pursuant to this section, any subsequent subdivider or developer utilizing such improvements, in accordance with such plan shall reimburse the subdivider or developer constructing such improvements for the cost of such construction in accordance with the degree to which such subdivider or developer utilizes such improvements as determined by the county. However, a subdivider or developer constructing such improvements may transfer to the county its right to such reimbursement in regard to water and sewer improvements in exchange for being given entitlement to the connection fees imposed upon the lots within its subdivision or development pursuant to section 82 -536. Such entitlement shall not exceed the value of the pro rata payment to which such subdivider or developer would otherwise be entitled as determined by the County.

(2) *That this Ordinance shall be effective immediately upon adoption.*

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

P-4. Public Hearing; SPECIAL EXCEPTION SE-19-01 Request of Petersburg Cellular Partnership (d/b/a Verizon Wireless) to construct a 199-foot monopole communication tower pursuant to 90-53 (15) within the A-1, General Agricultural Zoning District. The subject property is located east of Anderson Lumber at 15610 James River Drive on the north line of Route 10 and is identified as Tax Map 270(0A)00-036-C. The Comprehensive Plan indicates that the subject property is appropriate for agricultural uses. Mr. Douglas Miles, Planning Director, stated that Petersburg Cellular Partnership (Verizon Wireless) is requesting a Special Exception to permit the construction, operation, and maintenance of a monopole communications tower up to one hundred ninety-nine (199) feet within the A-1, General Agricultural District. Verizon Wireless is proposing a new communications tower to improve the capacity of data services and to assist with voice capacity in the future. The proposed use is a monopole communications tower that will support co-location by other carriers. The proposed tower will be located on its own five (5) acre parcel that has been created and recorded by the property owner to keep the tower site and the existing lumber business operations separated from one another as commercial business land uses. The Comprehensive Plan states that this area is suitable for agricultural uses. The construction and operation of the proposed tower will provide additional data and voice capacity and coverage for the surrounding county residents and business owners, public safety officers, and the general travelling public in Prince George County along the James River Drive Route 10 Corridor and surrounding area. Mr. Steve Romine of Williams, Mullen, representative of Verizon Wireless, gave a brief Powerpoint presentation on the proposed site location, its service, and coverage. He went over the site plan and the monopole elevation. All required setbacks will be met and will be designed

to have a fall zone of 50 feet. The closest residence is approximately 362' from the proposed site. There will be a 12' gravel access drive that will connect to James River Drive (Route 10). Chairman Hunter opened the public hearing at 7:53 p.m. There was no one to speak and the public hearing was closed. Mrs. Waymack made a motion, seconded by Mr. Webb, to approve the special exception as presented. Roll was called on the motion.

O-19-06

P-4.

SPECIAL EXCEPTION SE-19-01 Request of Petersburg Cellular Partnership (d/b/a Verizon Wireless) to construct a 199-foot monopole communication tower pursuant to 90-53 (15) within the A-1, General Agricultural Zoning District. The subject property is located east of Anderson Lumber at 15610 James River Drive on the north line of Route 10 and is identified as Tax Map 270(OA)00-036-C. The Comprehensive Plan indicates that the subject property is appropriate for agricultural uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-19-01 is granted as an amendment to the official zoning map with the following conditions:

1. The Special Exception is granted for a tower and it shall not exceed 199 feet and it shall be designed to accommodate co-location opportunities onto the tower.
2. The applicant shall provide, prior to issuance of a building permit, a statement from a registered engineer certifying that non-ionizing electromagnetic radiation ("NIER") emitted from communication towers, like the applicant's tower, does not result in ground level exposure at any point outside such facility that exceeds the maximum permissible NIER exposure as set by the Federal Communication Commission ("FCC"). In addition, when equipment on the tower is altered in such a way to increase the amount of radiation emitted from the facility, the applicant or its designee shall submit a statement from a registered engineer certifying that the ground level exposure does not exceed the maximum permissible NIER exposure as set by the FCC.
3. The tower shall have a non-reflective galvanized finish that is gray or another color that is acceptable to Prince George County Planning. The tower shall not contain any advertising or any signage other than small warning or safety signs on the tower compound fencing. The tower shall be designed and constructed as a monopole structure.
4. The base of the tower shall be enclosed by a minimum six (6) foot high fence and be designed to preclude trespassing. The base of the tower shall be landscaped using one (1) small evergreen tree or shrub planted for each ten (10) linear feet in two offset rows with the result being a small evergreen tree or shrub being planted for each five (5) linear feet. Each small evergreen tree or shrub shall have a height of at least six (6) feet at the time of planting and an ultimate height of fifteen (15) feet or greater within five (5) years or less.
5. No communications equipment or tower structure shall be installed which will in any way interfere with the County's Emergency Communication System. The applicant shall be responsible for the elimination of said interference within twenty-four (24) hours of receipt of notice from Prince George County should any equipment associated with this facility or the tower structure itself be found to have such an impact.
6. The applicant, within one hundred eighty (180) days after the tower ceases to be used for communications purposes for a period of twelve (12) consecutive months, shall dismantle and then remove the tower and all associated equipment from the property, except the footers.
7. This permit may be revoked by the Prince George County Board of Supervisors or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State or Local regulations.

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

P-5. Public Hearing; REZONING CASE RZ-18-02 Request of Nathaniel E. Dozier Jr. to conditionally rezone approximately 31 acres along County Drive from R-A, Residential-Agricultural to B-1, General Business Zoning District to permit certain uses. The subject property is located at 5200 County Drive and the parcels are known as Tax Map Numbers: 340(0A)00-117-0, 340(0A)00-118-0, and 340(0A)00-119-0. The Comprehensive Plan indicates that the subject property is appropriate for commercial uses. Mr. Horrace Wade, of the Planning Department, stated that the applicant is requesting to conditionally rezone 31± acres from R-A, Residential – Agricultural to B-1, General Business to allow the property to be developed for various commercial uses. The 2018 Comprehensive Plan identifies this area along Route 460 as appropriate for commercial land uses. The area is largely within the County’s Enterprise Zone. The request is consistent with the Comprehensive Plan. The County Zoning Ordinance under the B-1, General Business Zoning District permitted uses, allows for land uses such as: retail stores and shops, office buildings, and restaurants. The subject property is currently zoned R-A, Residential Agricultural and is located in the Prince George Planning Area (PGPA). New Development within the PGPA is required to be connected to utility services, which ensures that new development does not run the risk of septic or well failure, and bears the financial cost of extending services to the development site to the developer. The future land use plan calls for commercial land use. The request for B-1, General Business Zoning District is consistent with the comprehensive plan. In addition to a development project being consistent with the Future Land Use portion of the Comprehensive Plan, the development project must also be consistent with the Transportation portion of the Plan. The Transportation Plan requires applicants with development projects seeking rezoning or special exceptions that generate over 250 trips per day to submit a traffic impact study to evaluate any expected needs relative to transportation. This transportation requirement was coordinated with the Virginia Department of Transportation (VDOT). Section 90-782 of the Prince George County Zoning Ordinance states that the owner of the property may voluntarily proffer in writing, items for which are deemed, by the owner, appropriate for particular zoning case conditions that for the rezoning give rise for the need for the rezoning, have a reasonable relation to the rezoning, and be in conformity with the comprehensive plan. The applicant has submitted a textual statement signed and received on January 9, 2019. The applicant proposes to exclude certain uses, such as: general advertising signs (billboards), cemeteries, waterfront business activities, noncommercial fairgrounds, and mobile home and recreational vehicle sales, service and repair. In addition, the applicant addresses impacts to aesthetics, traffic, and impact to the surrounding area. Twenty-five (25) feet of landscape buffer is required next to all residential property. All exterior lights must be arranged and installed so that illumination does not impact the adjacent residential property, per site plan. Architectural Compatibility for the overall site is to be achieved through graphic description of exterior materials, colors, architectural style and building scale. All mechanical equipment must be screened or integrated in the architectural treatment of the building. A five (5) foot sidewalk will be provided on one side of the main entrance throughout the property, and all utilities will be underground. VDOT requested in the scoping form that the applicant identify whether the proposed main road shown on the Overall Conceptual Plan was proposed to be constructed to VDOT standards for eventually acceptance into the State system for maintenance. The TIA did not identify whether the roads were proposed to be State maintained, but this information was relayed to VDOT in a subsequent meeting with the applicant and his engineer. It was stated that the intent was for main road to be constructed to VDOT standards for eventually acceptance as a State maintained road. Any roadway to be accepted into the State system of maintenance would have to be constructed in accordance with VDOT’s Secondary Street Acceptance Requirements 2011 Edition (SSAR) and Chapter 92 Secondary Street Acceptance Requirements. The roadway as proposed in the Overall Conceptual Plan included with the TIA would not meet VDOT’s connectivity requirements for State acceptance. For roadways with expected trip generation in excess of 2,000 VPD, an additional external connection is required for each 2,000 VPD or portion of each over and above the initial 2,000 VPD. With an anticipated trip generation in excess of 6,107 VPD, five external street connections will be required in order for the roadway to meet the connectivity requirement and qualify for State acceptance and maintenance. One of the five connections

must be to a publicly maintained roadway. The remaining external connections may be satisfied by providing “stub out” connections in accordance with the SSAR. An exception would be required from the District Engineer to waive any of the five required connections. It is also required that at least three separate owners own portions of the retail property for a roadway to be accepted into the State system of maintenance unless an exception is approved by the District Engineer. The applicant has addressed potential impacts to Fire and EMS by proffering \$40,000 for each structure taller than one-story in height, payable over three (3) years to be used for capital expenses to enhance County Fire and EMS apparatus. The Planning Commission recommended approval to the Board of Supervisors at their January 24, 2019 meeting for the request of Nathaniel E. Dozier Jr. to conditionally rezoning 31+/- acres north of County Drive and west of Wells Station Road from R-A, Residential—Agricultural to B- 1, General Business District to permit certain uses located at 5200 County Drive and on Tax Map Parcels 340(OA)00-117-0, 340(OA)00-118-0, and 340(Oa)00-119-0 subject to the conditions of the Proffered Conditions dated January 9, 2019, as the request is consistent with the Comprehensive Plan, and the applicant has addressed traffic, aesthetics, function, and impacts of the proposed development. Chairman Hunter opened the public hearing at 8:04 pm.

Ms. Brittany Rollinson, Attorney for the Applicant, offered any help should the Board have any additional questions after the public hearing.

Mr. Mark Tibbedeaux (North of the proposed property). Mr. Tibbedeaux lives north of the proposed property. He stated that he has driven around to observe other hotels in the area and he has not seen any more than half full. He does not believe there is the business in this area for another hotel. Therefore, why put in another one? He stated that there are two Wal-Marts and seven Food Lions within ten miles of his house and he does not believe they need another shopping center right outside of their back door.

Ms. Yvette Mullen (8811 Robin Road, Disputanta). Ms. Mullen stated that her mother owns a piece of the adjacent property and would like to gain some clarity as to how this rezoning would affect her mother’s property. She wanted to inform the Board at this point that there may be an issue and they may need to have a further conversation. The County Attorney stated that Staff will be happy to talk to them.

Mrs. Brenda Renee Garnett (4092 Basswood Road). Ms. Garnett stated that she supports the Dozier project. This is a part of the County’s Comprehensive Plan and Mr. Dozier has been working very hard on this project for about 10 years. Mr. Dozier wants to bring jobs, goods and resources to the area. She strongly urged the Board to consider this project and asked a number of people in the audience that were there to support the project to please stand.

Mr. Mike Pannill (5617 West Quaker Road). Mr. Pannill’s property butts up to the proposed rezoning. Mr. Pannill is concerned that there may be 24-hour businesses as he is an adjacent property owner. He wants to know what kind of buffer is being proposed. He stated that he does not support this rezoning.

There being no one else to speak, Chairman Hunter closed the public hearing at 8:14 p.m. Mr. Webb asked the County Engineer what the current capacity in in that corridor now and what the potential future will be going forward. Mr. Haltom stated that the capacity is about one million gallons per day. The County is closing in on that capacity and will definitely want to make sure additional capacity is built into the system for this particular project. Mr. Dozier will need to provide calculations as they go through the site plan process before any development is done. Mr. Webb says that he is sure all of that was factored in by the Planning Commission as far as the capacity should there be an expansion at the industrial park. Mr. Brown asked Mr. Wade to address the concern of a potential hotel. Mr. Wade stated that a hotel must be approved by the Board through special exception and is not part of anything they would be approving this evening. Mr. Webb asked wouldn’t it be prudent to get the answer to the access issues at this time. Mr. Wade stated that it is currently being addressed. Mr. Robbie Nelson, Site Engineer, stated that Mr. Dozier’s access will go through his property and will no longer go through the Massenburg property. Ms. Waymack asked if there is enough water and sewer at this point. Mr. Haltom stated that there is enough water, but we may need to take a look at alternative measures as far as sewage, depending upon how much this development will require. Mr. Brown made a motion, seconded by Mr. Webb, to approve the rezoning as approved. Roll was called on the motion.

P-5.

REZONING CASE RZ-18-02 REQUEST OF NATHANIEL E. DOZIER JR. TO CONDITIONALLY REZONE 31+/- ACRES FROM R-A, RESIDENTIAL—AGRICULTURAL TO B-1, GENERAL BUSINESS DISTRICT TO PERMIT CERTAIN USES. THE COMPREHENSIVE PLAN INDICATES THAT THE SUBJECT PROPERTY IS APPROPRIATE FOR COMMERCIAL LAND USES. THE SUBJECT PROPERTY IS LOCATED AT 5200 COUNTY DRIVE AND ON TAX MAP PARCELS 340(OA)00-117-0, 340(OA)00-118-0, AND 340(OA)00-119-0 AND IS NORTH OF COUNTY DRIVE AND WEST OF WELLS STATION ROAD

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Conditional Rezoning Application identified as RZ-18-02 is granted as an amendment to the official zoning map with the following conditions:

The Owner and the Applicant in this case, pursuant to Sections 15.2-2296 and 15.2-2297 of the Code of Virginia (1950 as amended) and Article XVII of the Zoning Ordinance of Prince George County, for themselves and their respective successors or assigns, do hereby proffer that the development of the Property shall be used in strict accordance with the following conditions set forth in this submission, and only if, the request submitted herewith is granted with only those conditions agreed to by the Applicant. In the event this request is denied or approved with conditions not agreed to by the Applicant, the proffered conditions shall immediately be null and void and of no further force or effect.

1. Plan

The Property will be developed in general conformance with the overall conceptual site plan (“the plan”) by Engineering Design Associates dated August 1, 2018 and revised November 20, 2018, although the exact location, size and configuration of any buildings and improvements may differ from the plan if such change is determined by the County to be consistent with the plan.

2. Prohibited Uses

Notwithstanding the fact that such uses are permitted pursuant to Section 90-392 of the Prince George County Zoning Ordinance, the following uses shall be prohibited on the Property:

- a. General Advertising signs (billboards) per §90-392(24)
- b. Cemeteries per §90-392 (37)
- c. Waterfront business activities §90-392(20)
- d. Noncommercial fairgrounds §90-392(39)
- e. Mobile home and recreational vehicle sales, service and repair §90-392(45)

3. TIA

The Property was analyzed under the Dozier Commerce Park Traffic Impact Study (TIA) prepared by Charles Smith, P.E., PTOE, EPR and dated August 2018. The permitted density shall be limited to the equivalent trip generations submitted to the Virginia Department of Transportation (“VDOT”), based on the trips expected from the development. The trip generations were calculated based upon the following uses:

1. Warehouse/Grocery Store – 65,800 square feet
2. Convenience Store w/ or w/o carwash – 12,000 square feet
3. Hotel – Maximum 200 Rooms
4. Urgent Care Facility – 4,800 square feet
5. Office – 46,525 square feet
6. 2 fast food restaurants – 2,800 square feet each
7. High Turnover restaurant – 9,750 square feet

8. Day Care facility – 11,200 square feet
9. Retail – 21,000 square feet
10. Fitness Center – 17,600 square feet
11. Family Fun Center/Trampoline Park – 52,500 square feet

Any additional uses or increased changes in density from those identified above may require a revision to the TIA at the developer's expense if required by VDOT and/or the County at the time of site plan review.

4. Transportation.

- a. The entrance road will be constructed in general conformance with the attached plan and any related construction conditions imposed by the County or VDOT for acceptance of the roadway into the VDOT Secondary Roadway system.
- b. All road improvements shall be at the cost of the Developer as required by VDOT, which may include an entrance to the Property from Route 460 and potentially a traffic signal at the Route 460 entrance.
- c. If a traffic signal is warranted, based on a VDOT study, a traffic signal shall be installed at the cost of the Developer at the intersection of Route 460 in accordance with applicable VDOT standards and criteria prior to the issuance of the next certificate of occupancy.

5. Cross Access Easements

All road improvements shall be at the cost of the Developer.

- a. A street paved for traffic to circulate internally throughout the Property will be constructed in accordance with VDOT standards. Cross access easements for ingress and egress and parking easements for parking shall be recorded to connect businesses within the Property and to allow for future connections from the adjacent properties.
- b. There will be shared parking in the parking areas among all of the businesses and shall be permitted per Prince George County Zoning Ordinance.

6. Cash Proffers

In accordance with County cash proffer policy, the developer shall pay the County \$40,000 in equal payments of \$10,000 due no later than the date of the issuance of Certificate of Occupancy for each structure taller than one story in height, and for three successive years. The County intends to use such payments for capital expenses to enhance County Fire & EMS apparatus.

7. Signage

Only one (1) freestanding monument project identification sign shall be allowed for this development located on or adjacent to Route 460. This sign shall be located at the entrance of the development, but such sign shall be located outside of the right-of-way and not limit the minimum sight distance. The maximum sign area shall not exceed 400 square feet. This sign shall have space for multiple businesses to be identified on the sign. All other signage in this development shall be of a monument style and/or building mounted signage.

8. Storm Water Management

A storm water management facility (SWMF) shall be constructed at the cost of the Developer to serve the Property that will release storm water runoff from a ten (10) year post development storm event at a two (2) year predevelopment rate and at an adequate outfall per VDOT and MS19. The Developer shall be responsible for maintenance of the SWMF and common areas. A Stormwater Management Maintenance Agreement shall be recorded, which shall identify the parties responsible for maintenance and the measures necessary for continued operations. The County shall at no time be responsible for

maintaining this SWMF. If the Developer conveys a portion of the Property to any future property owner so that there is more than one property owner of the Property, the Developer shall establish an association for the maintenance of the SWMF and all common areas in the development. Any and all future property owners of the Property shall be required to be members of the Property Owners Association.

9. Long Term Parking

The Property and private streets shall not be used for any long-term parking or storage of vehicles or containers of any kind, including but not limited to vehicles or containers used for road transportation of goods.

10. Landscape Plan

The developer shall provide and maintain a natural landscape buffer using a combination of evergreen and deciduous shrubs and trees of not less than twenty-five (25) feet adjacent to all residentially zoned properties. The project will take advantage of the existing mature evergreen and deciduous trees on the site and incorporate them into the proposed buffer. If additional trees are required, the height of trees at the time of planting shall be a minimum of six (6) feet with an ultimate height of twelve (12) feet. The height of shrubs at the time of planting shall be a minimum of three (3) feet with an ultimate height of six (6) feet. The placement and design of any additional landscape buffer shall be subject to approval by the Director of Planning. The trees and shrubs shall be native or direct cultivars of native plants (Nativars) to Virginia. The developer shall also submit a general landscape plan as a portion of the site plan and the Director of Planning, or designee, in consultation with the Police Department, shall approve a landscape plan as part of the site plan for the development and may grant minor modifications to the requirements. To ensure survival, the landscaping shall be bonded or a guarantee provided by a nursery for a period of one (1) year after installation.

11. Lighting Plan

All exterior lights shall be installed at the cost of the Developer. The Property Owners Association shall provide for maintenance of street lights. The exact location of the lights will be reviewed and approved through the site plan review process. All exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed 1.0 foot candles as measured at the lot line of any adjacent property zoned for or used for residential purposes. Lighting fixtures shall be of directional type capable of shielding light emission above the horizontal plane of the light fixture. A photometric detail shall be submitted with the site plan application.

12. Service of Dumpsters

Servicing of any dumpsters shall be prohibited between the hours of 10:00 p.m. and 6:00 a.m. and shall be clearly marked by signage for service trucks.

13. Sidewalks

Pedestrian access will be provided by the Developer with sidewalks on the Property. A five (5) foot sidewalk shall be provided on at least one side of the main entrance road throughout the Property.

14. Utilities

All utilities will be provided underground for this development to include, but not limited to power, telephone, gas and cable television.

15. Noise

The applicant shall take appropriate measures to ensure compliance with the Noise Ordinance of the Code of Prince George, Virginia, as adopted June 14, 2011 or as amended from time to time, as enforced by the Police Department.

16. Property Owners Association

Prior to the issuance of a Certificate of Occupancy for any development within the Property, the developer shall record covenants requiring each site to be under the supervisor or control of a unified, central authority for the life of the project. The covenants shall, at a minimum, provide for the creation of a Property Owners Association, provide for maintenance of individual sites, common areas, open spaces, landscaping, lighting and buffering and providing for minimum development and operational standards for each site. The Property Owner's Association shall include assessments and create a reserve fund for maintenance.

17. Architectural Treatment

- a. Prior to site plan approval, a written graphic description of exterior materials, colors, architectural style and building scale shall be submitted for approval to establish a consistent architectural treatment for the Development.
- b. Throughout the Property, exterior walls shall be clad in fiber-cement siding, brick, stone, cultured stone or stucco or materials having the appearance of such material. Alternative materials may be permitted if approved by the Director of Planning, however, vinyl siding shall not be permitted.
- c. Compatibility must be achieved through the use of similar building massing, materials, scale, colors and other architectural features.

18. Mechanical Equipment

- a. All roof-mounted mechanical equipment must be screened by a parapet wall or other material as may be approved by the Director of Planning, or designee, as part of the site plan process.
- b. All ground-mounted mechanical and electrical equipment must be screened by fences, walls or vegetation and approved by the Director of Planning, or designee, as part of the site plan process.
- c. All junction and accessory boxes must be integrated in the architectural treatment of the building or view minimized by landscaping.

19. If this request is approved with conditions not agreed upon by the Developer, then the proffer and conditions shall be void and of no further force or effect.

On roll call the vote was:

In favor: (4) Brown, Waymack, Hunter, Webb

Opposed: (1) Carmichael

Absent: (0)

ORDER OF BUSINESS

A-2. Resolution; Award of Contracts for Annual Engineering Services. Mr. Frank Haltom, County Engineer, stated that a "Request for Proposals" (RFP) was solicited publicly with the closing date for proposals on February 7, 2019. Eleven responses were received. The responses were from Bowman Consulting, Dewberry, RK&K, Timmons Group, Wiley Wilson, Draper Aden, Austin Brockenbrough, ECE, CHA, Gannet Fleming, and WW Associates. The proposals were evaluated by County staff including department directors from Community Development, Engineering and Utilities, and General Services. Individual team members evaluated and scored each of the proposals based on the criteria outlined in the RFP, and compiled the scores. The term is for a one-year period. This contract may be renewed by the County for four (4) years at successive one-year periods under the terms and conditions of the original contract. Individual awards for specific projects in excess of \$50,000 will be provided to

the Board for approval. These contracts will be effective on April 1, 2019. Staff recommends an award of the annual engineering services contracts to Gannett Fleming, Dewberry, WW Associates, Bowman Consulting and Timmons Group for providing comprehensive engineering services county-wide in accordance with the terms and conditions provided for in RFP #19-0103-1. Mr. Brown made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-19-042

A-2.

Section III RESOLUTION; AWARD OF CONTRACTS FOR ANNUAL ENGINEERING SERVICES

WHEREAS, A "Request for Proposals" (RFP) was solicited publicly with the closing date for proposals on February 7, 2019 and eleven responses were received; and

WHEREAS, The proposals were evaluated by County staff including department directors from Community Development, Engineering and Utilities, and General Services. Individual team members evaluated and scored each of the proposals based on the criteria outlined in the RFP, and compiled the scores; and

WHEREAS, The term is for a one-year period. This contract may be renewed by the County for four (4) years at successive one-year periods under the terms and conditions of the original contract. Individual awards for specific projects in excess of \$50,000 will be provided to the Board for approval. These contracts will be effective on April 1, 2019; and

WHEREAS, Staff recommends an award of the annual engineering services contracts to Gannett Fleming, Dewberry, WW Associates, Bowman Consulting and Timmons Group for providing comprehensive engineering services county-wide in accordance with the terms and conditions provided for in RFP #19-0103-1.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 26th day of March, 2019, hereby awards the annual engineering services contracts to Gannett Fleming, Dewberry, WW Associates, Bowman Consulting and Timmons Group for providing comprehensive engineering services county-wide in accordance with the terms and conditions provided for in RFP #19-0103-1.

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

A-1. Resolution; Award of Contracts (\$12,990 and \$48,447 Utility Title Examinations/Search). Mr. Haltom stated "Quick Quotes" (QQ) for Title Examinations/Search for 2 on-going utility projects were solicited with a March 15, 2019 closing date for both. These services are to perform the title examinations along the proposed alignments for the two watermain extension projects - Route 460 (QQ #230231) and Route 156 (QQ #230228). This work will determine if the alignments selected will be suitable for the watermain and will allow for easement plats to be generated to begin discussions on easement acquisitions with each property owner. Staff recommends awards of these services to the lowest responsive and responsible bidders as follows: Title Examinations/ Search for Route 460 Water Main Project - (QQ230231) Awarding to: eTitle Agency Inc - \$12,990.00; and Title Examinations/ Search for Route 156 Water Main Project - (QQ230228) Awarding to: Veterans Express Total Services - \$48,447.00. The appropriated budget within the CIP fund will cover the cost of these services and no additional appropriation is required. Mr. Webb made a motion, seconded by Mr. Carmichael, to approve the resolution as presented. Roll was called on the motion.

R-19-043

A-1.

Section IV RESOLUTION; AWARD OF CONTRACTS (\$12,990 and \$48,447 UTILITY TITLE EXAMINATIONS/SEARCH)

WHEREAS, Quick Quotes” (QQ) for Title Examinations/ Search for two on-going utility projects were solicited with a March 15, 2019 closing date for both; and

WHEREAS, These services are to perform the title examinations along the proposed alignments for the two watermain extension projects - Route 460 (QQ #230231) and Route 156 (QQ #230228). This work will determine if the alignments selected will be suitable for the watermain and will allow for easement plats to be generated; and

WHEREAS, Staff is recommending awards of these services to the lowest responsive and responsible bidders to the following:

Title Examinations/ Search for Route 460 Water Main Project - (QQ230231) Awarding to:
eTitle Agency Inc - \$12,990.00

Title Examinations/ Search for Route 156 Water Main Project - (QQ230228) Awarding to:
Veterans Express Total Services - \$48,447.00

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 26th day of March, 2019, hereby awards the two contracts for title examinations to eTitle Agency Inc. in the amount of \$12,990 and Veterans Express Total Services in the amount of \$48,447.

On roll call the vote was:

In favor: (5) Brown, Waymack, Carmichael, Hunter, Webb

Opposed: (0)

Absent: (0)

A-3. Resolution; Memorandum of Understanding Between Prince George County and Sussex County Relating to Animal Engineering Services. Chief Keith Early stated that in the fall, Sussex County approached the County asking whether Prince George would be willing to assist Sussex County in providing shelter and protection for animals in Sussex if Sussex lacked capacity or personnel at the time a request for assistance is made. The draft Mutual Aid Agreement (“MOU”) provides that either locality may provide animal services assistance to the other locality upon request only if the County receiving a request has personnel and shelter capacity to provide assistance and agrees to provide assistance. Providing assistance at the time the request is made is voluntary. Any costs incurred from assisting the other locality will be borne by the assisting locality. The Police Department has reviewed the draft agreement and supports approval. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to approve the resolution as presented. Roll was called on the motion.

R-19-044

A-3.

RESOLUTION; MEMORANDUM OF UNDERSTANDING BETWEEN PRINCE GEORGE COUNTY AND SUSSEX COUNTY RELATING TO ANIMAL SERVICES

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 26th day of March, 2019 does hereby authorize the County Administrator to execute Memorandum of Understanding between Prince George County and Sussex County relating to animal services.

On roll call the vote was:

In favor: (5) Brown, Waymack, Hunter, Webb, Carmichael

Opposed: (0)

Abstained: (0)

ADJOURNMENT. Mr. Carmichael moved, seconded by Mr. Brown, that the meeting adjourn. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Brown, Webb, Waymack

Opposed: (0)

Absent: (0)

The meeting adjourned at 8:34 p.m.

[Draft Minutes prepared April 2, 2019 for consideration on April 9, 2019; adopted by unanimous vote.]

Donald R. Hunter
Chairman, Board of Supervisors

Percy C. Ashcraft
County Administrator