

MINUTES
Board of Supervisors
County of Prince George, Virginia

Retreat
September 28, 2019
9:00 a.m.

Human Services Bldg., Community Room
6450 Administration Drive, Prince George, Virginia

MEETING CONVENED. An adjourned meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 9:00 a.m. on Saturday, July 28, 2019 in the Community Room, Human Services Building, 6450 Administration Drive, Prince George, VA 23875, for the purpose of a retreat to several matters.

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

County Staff present was: Percy C. Ashcraft, County Administrator; and Betsy Drewry, Finance Director;

Invocation. Mr. Brown gave an invocation.

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

APPROVAL OF AGENDA. Mr. Brown made a motion, seconded by Mr. Carmichael, to approve the agenda as presented.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

WORK SESSION

Mr. Percy Ashcraft, County Administrator, and Ms. Betsy Drewry, Finance Director, led discussions regarding preliminary FY2021 revenue sources, operating needs for additional positions, Phase III of Salary Study, and Riverside Regional Jail. In addition, the status of FY2020 projects were discussed, Fall 2019 Borrowing was discussed, and the FY2021-FY2030 Capital Improvement Plan were discussed.

Mr. Ashcraft discussed other matters with the Board, including a future drive around the County to review ongoing projects.

ADJOURNMENT. Mr. Brown made a motion, seconded by Mr. Webb, to adjourn. The meeting adjourned at 2:55 p.m.

[Draft Minutes prepared October 15, 2019 for consideration on October 22, 2019; adopted by unanimous vote.]

Donald R. Hunter
Chairman, Board of Supervisors

Percy C. Ashcraft
County Administrator

MINUTES
Board of Supervisors
County of Prince George, Virginia

October 8, 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 5:00 p.m. on Tuesday, October 8, 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: Percy Ashcraft, County Administrator; and Dan Whitten, County Attorney.

CLOSED SESSION

E-1. Resolution; Closed Session for (1) discussion of the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; I further move discussion be limited to (a) a specific employee of the County; (b) an appointment to South Centre Corridors Resource Conservation and Development Council; and (c) appointments to US Census Complete County Committee pursuant to Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act; (2) for consultation with legal counsel pertaining to actual or probable litigation; I further move discussion be limited to (a) Collins v. County of Prince George; and (b) opioid litigation pursuant to Section 2.2-3711(A)(7) of the Virginia Freedom of Information Act. Mrs. Waymack made a motion, seconded by Mr. Webb, that the Board convene closed session for: (1) discussion of the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; I further move discussion be limited to (a) a specific employee of the County; (b) an appointment to South Centre Corridors Resource Conservation and Development Council; and (c) appointments to US Census Complete County Committee pursuant to Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act; (2) for consultation with legal counsel pertaining to actual or probable litigation; I further move discussion be limited to (a) Collins v. County of Prince George; and (b) opioid litigation pursuant to Section 2.2-3711(A)(7) of the Virginia Freedom of Information Act.

E-1.

RESOLUTION; CLOSED SESSION FOR (1) DISCUSSION OF THE ASSIGNMENT, APPOINTMENT, PROMOTION, PERFORMANCE, DEMOTION, SALARIES, DISCIPLINING, OR RESIGNATION OF SPECIFIC PUBLIC OFFICERS, APPOINTEES, OR EMPLOYEES OF ANY PUBLIC BODY; I FURTHER MOVE DISCUSSION BE LIMITED TO (A) A SPECIFIC EMPLOYEE OF THE COUNTY; (B) AN APPOINTMENT TO SOUTH CENTRE CORRIDORS RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL; AND (C) APPOINTMENTS TO US CENSUS COMPLETE COUNTY COMMITTEE PURSUANT TO SECTION 2.2-3711(A)(1) OF THE VIRGINIA FREEDOM OF INFORMATION ACT; (2) FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO ACTUAL OR PROBABLE LITIGATION; I FURTHER MOVE DISCUSSION BE LIMITED TO (A) COLLINS V. COUNTY OF PRINCE GEORGE; AND (B) OPIOID LITIGATION PURSUANT TO SECTION 2.2-3711(A)(7) OF THE VIRGINIA FREEDOM OF INFORMATION ACT

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 8th day of October, 2019, does hereby vote to enter closed session for (1) discussion of the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; I further move discussion be limited to (a) a specific employee of the County; (b) an appointment to South Centre Corridors Resource Conservation and Development Council; and (c) appointments to US Census Complete County Committee pursuant to Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act; (2) for consultation with legal counsel pertaining to actual or probable litigation; I further move discussion be limited to (a) Collins v. County of Prince George; and (b) opioid litigation pursuant to Section 2.2-3711(A)(7) of the Virginia Freedom of Information Act.

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 6:11 p.m., Mr. Brown made a motion, seconded by Mr. Carmichael, 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.

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 8th day of October, 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, Hunter, Carmichael

Opposed: (0)

Absent: (0)

WORK SESSION

Mr. Tim Graves of the Planning Department presented a population change analysis for Prince George County for the next 20 years. This data was released from the Weldon Cooper Demographics Research Group. The County's current population is 37,212 with a 4.2% growth between 2010 and 2018 giving it the second highest growth rate in comparison to its neighboring localities. Projections over a longer period of time are much more uncertain than projections over a shorter period of time. The data shows Prince George County's population expanding to 37,613 in 2020, 39,408 in 2030, and 40,674 in 2040 with a 4.77% 10-year growth and a 8.14% growth in 20 years. Mr. Brown asked if lack of infrastructure or water and sewer factored into those projections. Mr. Graves stated that these numbers are based on numerical consideration only with a model applied to the entire State. Mr. Graves presented these projections by age group as well with the general population being more in the age 45 to 64 age group. Prince George County is growing but its growth rate is slower than the Prince George Area and the State. However, Prince George County is aging and the 65 and older age group will increase from 16% of the population to 25%.

Mr. Dan Whitten, County Attorney, stated that according to the Attorney General, the use or possession of Tannerite is not illegal as long as it is used for recreational purposes only. Under Section 15.2-1200, Counties can adopt any measure to promote the health safety and general welfare of its inhabitants as long as it is not inconsistent with the general laws of the Commonwealth of Virginia. Under the County's current ordinance, it is unlawful to discharge a firearm for the purpose of hunting within 100 yards of a building that is occupied or where the public gathers unless they have written approval from the owner. Some Counties have adopted an ordinance prohibiting discharging a firearm for any purpose within a certain distance of a building that is occupied or where the public gathers, depending on its location. Under Virginia Code, localities are allowed to prohibit the outdoor shooting of firearms within areas that are heavily populated. Mr. Whitten stated that the previous County Attorney had drafted a proposed

ordinance for this purpose where the Board could plug in the amount of distance they wanted to make it. Mr. Brown stated that he only considers target shooting a problem when it is with the use of Tannerite creating a disturbance. He stated that no one is trying to take away anyone's Second Amendment right. They just want to put a stop to these explosions. The County Attorney stated that the Police could enforce a disturbance of the peace. However, we do not have the authority under 15.2-1200 or 1209 to prohibit shooting at a specific target. Mr. Carmichael asked the County Attorney to check in the ordinance regarding fireworks and see if Tannerite can be part of that. Mr. Whitten stated that another option would be to speak with our local legislators at the Legislative Dinner Meeting and add this to our legislative priorities list. He also said he could work on a draft ordinance regarding the distance on just shooting Tannerite and see if the Courts would accept it. Chairman Hunter added that they do not want to regulate firearms. They just want to regulate Tannerite.

Mr. Scott Thornton of the Virginia Department of Transportation addressed the request to add Providence Woods to the VDOT Secondary Road System. VDOT crews have evaluated the road and the original plats have been pulled. It clearly states on the plat that no public funds may be used to bring the road up to standards to be accepted into the State system. In addition, based on VDOT's review, it would cost \$300,000 just to bring the road to standard in order for it to be accepted into the State system. Mr. Thornton stated that the possibility of using revenue sharing funds to that was mentioned. The applications for the revenue sharing process would need to be submitted by October 2021. It would require plans and for the County to provide the funds up front. It is a 50/50 match. These applications are ranked and Mr. Thornton stated that based on the application process, this particular road would rank poorly and be a real challenge to get funded. He stated that another option would be to use Secondary Six-Year Plan money. However, you are only allowed to use 5% of the yearly to allocate toward a project like this. Prince George County gets about \$125,000 a year. Therefore, it would take about 48 years to fund it. Mr. Brown asked if public safety concerns would help at all in the ranking since there are elderly people living on the road and Fire and EMS would have a hard time getting down there. Mr. Thornton stated that private roads are required to be held up to a certain standard for public safety access. If the owners of the roadways do not keep them up to standard, VDOT has the authority to close them and not rebuild them. Mr. Brown stated that he does not understand how that would help. Mr. Thornton stated that it is a motivational tool to get the property owners to maintain the road that they originally wanted to be private. Mr. Thornton stated that once the residents work to get the road to a better standard, it may change its ranking. Mr. Webb stated that there are 400 roads in the County that are private. If you do for one, you have to do for everybody. There are not enough public funds to bring every one of them to standard. There were residents in the audience to confirm that there are 11 properties on the road and a homeowner's association.

Ms. Diana Bradbury, a resident of the road, stated that they were offered 10 years ago for the County and the State to maintain the road and fix it for them with a 50 foot easement. Not all residents wanted to do that. School buses do not come down the road now because it is so bad. Ms. Bradbury stated that the Board should take each case as it comes before them. The other 399 aren't here but they are. Mr. Carmichael stated that he lived on a private road with a homeowners association and they were each bound to pay a certain amount to maintain the road.

He also stated that some of these other private roads have already been before the Board and they were turned down. He suggested that they revisit their agreement and make sure everyone is doing their part to bring it to standard.

Chairman Hunter called a recess at 6:53 p.m. The meeting reconvened at 7:01 p.m.

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

Pledge of Allegiance to U.S. Flag. Mr. Carmichael 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 7:02 p.m. There was no one to speak and the public comments period was closed.

APPROVAL OF AGENDA. After adding Item A-7, Retention of legal services from Sanford Heisler Sharp for the purpose of filing additional opioid litigation, Mr. Carmichael made a motion, seconded by Mrs. Waymack, to adopt the agenda as amended. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

C-1. Draft Minutes – September 24, 2019 Regular Meeting Minutes were approved as presented.

R-19-118

C-2.

RESOLUTION; COMMENDATION; PRINCE GEORGE COUNTY GARAGE, PRINCE GEORGE FIRE AND EMS, PRINCE GEORGE EMERGENCY COMMUNICATIONS MANAGER; TOGETHER WE CAN EMPLOYEE RECOGNITION AWARD

WHEREAS, On September 8th, Fleet Manager Chris Talmage, Garage Mechanics Michael Tucker, Chris Jones and Timothy Horne and Fire Captain Chris Allin and Acting Fire Captain, Jason Coker suspected there could be an issue with fuel contamination; and

WHEREAS, Medic 192 and Medic 198 were brought into the garage having the same odd issues; and

WHEREAS, After taking a fuel sample, there was a high volume of gasoline in the fuel tank lines; and

WHEREAS, Shift Commander, Acting Captain Jason Coker and Fleet Manager, Chris Talmage reached out to Captain Chris Allin and Director of Fire & EMS, Brad Owens as well as General Services Director, Michael Purvis to make them aware of the potential problem; and

WHEREAS, Director Owens made the decision to take all Fire & EMS vehicles out of service and to establish mutual aid; and

WHEREAS, Staff worked quickly and efficiently to remove contaminate fuel from the units and worked with an outside vendor to drain the fuel tanks and replenish them with the proper fuel; and

WHEREAS, During the EOC activation, Fire & EMS and garage mechanics reported on the status of the fuel in each unit and coordinated all efforts with Captain Chris Allin and Acting Captain, Jason Coker while Emergency Communications Manager, Chad Bosserman worked to coordinate with the Communications Officers which units could be dispatched if a call were to come in; and

WHEREAS, On September 10th at approximately 11:00 a.m., all units were back in service and Fire & EMS was in service at full capacity.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 8th day of October, 2019, does hereby commend and thank the County Garage Staff, the Prince George Fire and EMS Department and the Emergency Communications Manager for their timely response and quick actions to resolve a potentially devastating situation; and

BE IT FURTHER RESOLVED That this Board wishes to congratulate these dedicated employees for earning the Prince George County TOGETHER WE CAN Employee Award for meritorious service.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

PRESENTATIONS

S-1. Resolution; Commendation; Prince George County Garage, Prince George Fire and EMS, Prince George Emergency Communications Manager; Together We Can Employee Recognition Award. The Board presented the commendation to Timothy Horne, Michael

Tucker, Jason Coker, Christopher Allin, Chad Bosserman, James Talmage, Christopher Jones, and Clifford Collins.

SUPERVISORS COMMENTS

Mr. Webb stated that he was relieved to hear that the toddler that fell from the third story apartment was going to be okay.

Mr. Carmichael stated that he appreciates all that the public safety employees do for the County.

Mrs. Waymack stated that she is thankful for the little bit of rain and she encouraged everyone to get their flu shots.

Mr. Brown stated that he is very excited about the new Jefferson Park Fire Station.

Chairman Hunter stated that he wanted to take this opportunity to make a few comments on behalf of the Board of Supervisors regarding a proposal to build a new elementary school. Everyone probably knows this issue has been before the Board of Supervisors and the School Board for a couple years now. There have been discussions regarding the location of a new school that both boards have had different points of view. Earlier this year, representatives from Fort Lee discussed with our County Administrator about the possibility of the Department of the Army donating property for the purpose of a new elementary school. The property in question is located on both sides of the 'A' Avenue roundabout. When this idea was first floated about, it was agreed for the Department of the Army to go back and do their due diligence and seek the necessary approvals. Later discussions with School Board representatives found this site to be worth pursuing as well. As we approach the end of this calendar year, Fort Lee officials have said they are comfortable letting the public know this is something the Department of the Army is considering. The pace of the transaction appears for final approvals to possibly be made in the latter part of calendar year 2020. This location appears to have the needed infrastructure to serve a new elementary school. Its location would strengthen an already solid partnership between Prince George County and Fort Lee. The Board of Supervisors looks forward to moving ahead with this project and providing a safe and modern facility for young people to learn and teachers to teach in an effective manner.

COUNTY ADMINISTRATOR'S COMMENTS

Mr. Percy Ashcraft, County Administrator, stated the Prince George Farmers Market will be on October 12, from 8 a.m. to 12:00 Noon at Scott Park. There will be a Pecan Festival on October 12 from 11 a.m. to 5 p.m. at Richard Bland College. There will also be a Pet Adoption Event on October 12 from 11 a.m. to 5 p.m. at Richard Bland College. County offices will be closed on Columbus Day Holiday, October 14. The James River Soil & Water Conservation District Meeting will be on October 17 at 6 p.m. at the Prince George Library. There will be a Czech & Slovak Festival on October 19 from 11 a.m. to 4 p.m. at the Prince George Heritage Center. The Parks & Recreation Annual Harvest Festival will be on October 19 from 5 to 8 p.m. at Temple Park. Early morning rain today causes emergency management officials to lift 'Burn Ban' in Prince George County. Utilities Department has begun annual water flushing. The locations

October 7-11 are: Puddledock Road, Temple Avenue, Jefferson Point Apartments, Middle Road, The Meadows Subdivision, Prince George Drive and Rivers Edge Subdivision. President of the Czech Senate Jaroslav Kubera to visit Prince George County October 2. Owners of the Lundie Water System send out 'Boil Water' Notices to customers. Prince George Promise is looking for volunteers to serve on its Board of Directors. A meeting will be held at 2 p.m. Friday, October 11 in the Community Room of the Human Services Building.

REPORTS

VDOT – Ms. Diana Bryant of the Virginia Department of Transportation stated that they are still trimming in the County. They did finish secondary mowing late last week. There are ditching operations going on now on Johnson Road and Johns Road. They have installed some pipe on Lebanon Road and have done some surface treatment on Roland. They are still waiting on the funding to be released for the mumblestrips on Route 10. They are continuing to repair potholes. Mr. Webb stated that there is an area crossing Pole Run Road at Jackson Pond that appears to be failing. Mr. Thornton stated that they have looked at it and they are waiting for Miss Utility to give them the clear. Mr. Carmichael stated that Senator Ruff was in the area and is interested in resolving some type of safety measure in Disputanta for the fire trucks backing in Disputanta Fire Station and school buses trying to cross Route 460 at Queen Street. Mr. Brown stated that the rumblestrips in Disputanta have really worn down along with the ones going in and out of Waverly.

Clean Community Day #2 – Mr. Mike Purvis, General Services Director, stated that this Saturday, October 12, will be Clean Community Day #2 from 8:00 a.m. to 1:00 p.m. at the Police Station parking lot and at the Convenience Station off of Union Branch. Mattresses and tires with limitation, yard debris, electronics and white goods will be accepted at no charge during that time at both locations. Mr. Brown asked if they could advertise on the news, fire stations signs, or Police electronic signs.

Dixie World Series – Mr. Jeff Stoke, Deputy County Administrator, thanked the Board and the County Administrator for standing behind Sports Tourism. He stated that after working on this since the spring, he is proud to announce that Prince George County was selected to host the Darlings 7 and 8 year olds and the Angels Xplay for the 9 and 10 year olds in the Dixie World Series in 2021. He thanked Mr. Keith Rotzoll, Director of Parks and Recreation, and Mr. Rob Eley, District 3 Dixie Softball Director, for helping with the presentation and video and the pitch. Teams will be coming from all over the South and Prince George County will get to host a team. The date is to be determined. Mr. Brown stated that the video was very professionally done and really made Prince George shine. Chairman Hunter stated that this is a big accomplishment. Mr. Carmichael, Mr. Webb, and Mrs. Waymack all agreed that it was a job well done.

ORDER OF BUSINESS

A-1. Resolution; Appropriation and Reimbursement Resolution for Law Enforcement Vehicle Purchase (\$400,000). Ms. Betsy Drewry, Finance Director, stated that as part of the fiscal year 2020 adopted budget, the County included \$400,000 of debt issuance for the purchase of Law Enforcement vehicles. Vehicle replacement purchases have been recommended at a rate of 10 vehicles per year annually. This process has been utilized for the past four fiscal years

(FY2016 – FY2019), and FY2020 will be the fifth year. This will refresh the entire fleet over the course of five years and if repeated every year thereafter, will continuously keep the fleet in a five year replacement cycle. The purchase of 10 Law Enforcement vehicles (8 Police and 2 Sheriff) is estimated to cost just over \$400,000. The vehicles will be purchased using either state contract pricing or a cooperative contract if pricing is less than state contract pricing. The recommended source of funding is borrowing / bond issuance in the fall of 2019. There are a number of 2019-20 replacement plan vehicles recommended for surplus. Recommendations for replacement are based on mileage, vehicle condition and repair history. Staff is requesting the board to authorize an appropriation of funds through bond issuance in the fall of 2019 (November 2019); and a reimbursement resolution for future debt issuance. Two resolutions are included in the board packet for consideration. One resolution approves the appropriation, the other is a reimbursement resolution which expresses the intent of the County to purchase vehicles now and reimburse themselves with bond proceeds issued in the fall of 2019. Ms. Drewry clarified for Mr. Brown that surplus vehicles are used on the driving range. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the appropriation resolution as presented. Roll was called on the motion.

R-19-119

A-1.

RESOLUTION; APPROPRIATION (\$400,000 LAW ENFORCEMENT VEHICLE PURCHASE)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 8th day of October, 2019, does hereby authorize the following increase of funds within the 2019-2020 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>		
0311-03-100-3103-48105-3103	Police Vehicle Replacement	\$400,000
 <u>Revenue:</u>		
0311-40-900-8115-341401	Debt Proceeds	\$400,000

On roll call the vote was:
 In favor: (5) Brown, Waymack, Hunter, Webb, Carmichael
 Opposed: (0)
 Abstained: (0)

Mr. Brown made a motion, seconded by Mrs. Waymack to approve the reimbursement resolution as presented. Roll was called on the motion.

R-19-119A

A-1.

RESOLUTION OF OFFICIAL INTENT TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF BONDS
OR OTHER INDEBTEDNESS

WHEREAS, the Board of Supervisors (the "Board") of the County of Prince George, Virginia (the "County") has previously determined to undertake the Purchase of 10 Public Safety (Law Enforcement) Vehicles (the "Purchase");

WHEREAS, the Board currently expects that the cost of the Purchase, excluding the costs of the financing thereof, will be approximately \$400,000;

WHEREAS, the Board currently expects to incur long-term indebtedness in an amount now estimated at \$400,000 to pay a portion of the costs of the Purchase, which indebtedness may take the form of tax-exempt bonds or other types of debt; the proceeds of such indebtedness may be used either for paying costs of the Purchase directly or for repaying other indebtedness previously incurred for the Purchase or for a combination of such purposes; and

WHEREAS, the County may also advance its own funds to pay expenditures relating to the Purchase (collectively, the "Expenditures") prior to receiving reimbursement for such Expenditures from the proceeds of tax-exempt bonds or taxable debt, or both;

THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County as follows:

1. The County intends to utilize the proceeds of tax-exempt bonds or notes (the "Bonds") or to incur other debt to pay Purchase costs in an amount not currently expected to exceed \$400,000.
2. The County intends that the proceeds of the Bonds be used to pay or reimburse the County for the payment of Expenditures made after the date of this Resolution or made within 60 days prior to the date of this Resolution or Expenditures which are incurred for certain preliminary costs such as architectural, engineering, surveying, soil testing, bond issuance expenses and the like. The County reasonably expects on the date hereof that it will pay or reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, or (c) a nonrecurring item that is not customarily payable from current revenues.
4. The County intends to make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Purchase is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are

available for certain “preliminary expenditures,” costs of issuance, and certain de minimis amounts.

5. The Board intends that the adoption of this Resolution confirms the “official intent” of the County within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

6. The County Administrator and other officers of the County are hereby authorized and directed to take such actions, in consultation with the County’s counsel, as may be necessary or desirable to implement the planning and structuring of the Bonds, including but not limited to negotiations with lenders or investment bankers for the Bonds, the selection of bond counsel to supervise the issuance of such Bonds and the engagement of such other professionals as may be necessary or desirable to assist the County in this process, but such officers shall not obligate the County on such Bonds without further approval by the Board.

7. This Resolution shall take effect immediately upon its passage.

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

A-2. Resolution; Authority to Advertise a Public Hearing Regarding the Proposed Authorization of the Issuance of General Obligation Bonds in the Maximum Principal Amount not to Exceed \$7,295,000. Ms. Drewry stated that multiple capital projects with planned debt issuance were recommended as part of the adopted FY2020 budget. Additionally, the County Administrator and Board of Supervisors have discussed some additional projects for FY2020, specifically, the addition of funding for a transfer to the Industrial Development Authority for a Broadband expansion grant and improvements to the Central Wellness Center to meet code requirements. Other projects include law enforcement vehicles, fire apparatus, and stormwater projects. The project total, including estimated bond issuance costs is \$7,295,000. The issuance of general obligation bonds requires a public hearing. The public hearing date requested is November 13, 2019. Mr. Webb made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-19-120

A-2.

RESOLUTION: AUTHORITY TO ADVERTISE A PUBLIC HEARING REGARDING THE PROPOSED AUTHORIZATION OF THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$7,295,000.

NOW, THEREFORE BE IT RESOLVED: That the Board of Supervisors of the County of Prince George this 8th day of October, 2019, does hereby authorize the

advertisement of a public hearing notice regarding the proposed authorization of the issuance of General Obligation Bonds in the maximum principal amount not to exceed \$7,295,000.

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

A-3. Resolution; Authority to Advertise a Public Hearing for the Appropriation of up to \$6,895,000 in Debt Proceeds to the Capital Projects Fund (Budget Amendment). Ms. Drewry stated that this is directly related to the bond issuance. The project total, including bond issuance costs is **\$7,295,000**. A reimbursement resolution and appropriation has been approved for the law enforcement vehicles item (\$400,000). The remaining projects total \$6,895,000 and an appropriation is required for that amount. This budget amendment of \$6,895,000, if approved, will require a public hearing because the amount exceeds 1% of the adopted FY2020 budget (Adopted FY2020 budget = \$123,068,958; 1% = \$1,230,690). The public hearing date requested is November 13, 2019. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to approve the resolution as presented. Roll was called on the motion.

R-19-121

A-3.

RESOLUTION; AUTHORITY TO ADVERTISE A PUBLIC HEARING FOR THE APPROPRIATION OF UP TO \$6,895,000 IN DEBT PROCEEDS TO THE CAPITAL PROJECTS FUND (BUDGET AMENDMENT)

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 8th day of November, 2019, does hereby authorize the advertisement of a public hearing for the appropriation of up to \$6,895,000 in debt proceeds to the Capital Projects Fund.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-5. Discussion of Legislative Dinner Meeting. Mr. Percy Ashcraft, proposed a few dates for the Board to meet with its local legislators just before the General Assembly begins. After brief discussion, the Board decided to meet on November 20 at 6:00 p.m. at the Prince George Library.

A-6. Consideration of Appointments – Board, Commissions, Committees, Authorities: Resolution of Appointment(s):

A. Resolution; Appointment (Three-Year Term) – South Centre Corridors Resource Conservation and Development Council. Mr. Webb made a motion, seconded by Mrs. Waymack, to defer this item until there is an applicant. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

B. Resolution; Appointments; US Census Complete Count Committee. Mr. Carmichael made a motion, seconded by Mr. Brown to table this item to October 22. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-7. Retention of Legal Services from Sanford Heisler Sharp for the Purpose of Filing Additional Opioid Litigation. Dan Whitten, County Attorney, stated that the Board at its last meeting approved a retainer for legal services of Sanford Heisler Sharp LLP for the purpose of filing additional opioid litigation with a total of proceeds and costs to not exceed more than 35%. After speaking with legal counsel, this firm has retainer agreements with 50 counties all of which have agreed to 25% in attorney fees with no cap on costs. They assured there should not be a worry, since Prince George County is one of the smaller counties and the costs are pro rata. Therefore, there needs to be a new motion. Mr. Brown made a motion, seconded by Mrs. Waymack, to retain the legal services of Sanford Heisler Sharp LLP for the purpose of filing additional opioid litigation authorizing the County Administrator to execute the retainer agreement for such legal 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. Webb, that the meeting adjourn. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

The meeting adjourned at 7:59 p.m.

[Draft Minutes prepared October 15, 2019 for consideration on October 22, 2019; adopted by unanimous vote.]

Donald R. Hunter
Chairman, Board of Supervisors

Percy C. Ashcraft
County Administrator