

**AGENDA**

Board of Supervisors  
County of Prince George, Virginia  
Regular Meeting: August 11, 2020  
County Administration Bldg. Boardroom, Third Floor  
6602 Courts Drive, Prince George, Virginia

**Regular Meeting**

**Closed Session**  
**5:00 p.m.**

**Work Session**  
**6:00 p.m.**

**Business Meeting**  
**7:00 p.m.**

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

This meeting is being held electronically in accord with Virginia Code Section 15.2-1413. The meeting is accessible by:

If you would like to participate in the meeting via Zoom:

<https://zoom.us/j/5053851421?pwd=V2pjSHFneFRLUUE2bjNqQnR3emZoUT09>

Meeting ID: 505 385 1421

Password: 200726

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During the public comment period you may raise your hand using the Zoom controls on your screen or press \*9 on your phone. Visit the Zoom Help Center for more information.

If you would like to watch the meeting in real time use this link:

<https://www.youtube.com/c/princegeorgevirginia>

Public comments may be made in person during any meeting. You may also submit any public comments on our website at

[https://www.princegeorgecountyva.gov/departments/board\\_of\\_supervisors/public\\_comment\\_for\\_m.php](https://www.princegeorgecountyva.gov/departments/board_of_supervisors/public_comment_for_m.php).

Any public comments received via Zoom, in person or by website form up until the public comment section is closed by the Chairman of the Board of Supervisors on August 11th shall be entered into the meeting minutes.

**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.

**WORK SESSION**

Ordinance Regarding Possession of Hens on Property  
Discussion of Security Camera System  
Discussion of Relocating Voting Precinct in District 2

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO U.S. FLAG**

**PUBLIC COMMENTS**

**ADOPTION OF AGENDA**

**ORDER OF CONSENSUS**

- C-1. Draft Minutes – July 14, 2020 Regular Meeting; and July 28, 2020 Adjourned Meeting
- C-2. Resolution; Commendation; Deputy Joseph G. Curry; Service to Prince George County.
- C-3. Resolution; Commendation; Police Officer John “Butch” Pearson; Service to Prince George County.
- C-4. Resolution; Acceptance of Cedarwood Section Two-Extension Route 1040, New Route 1039, Route 1043 & Route 1044 Into Virginia Department Of Transportation/ Secondary System Of Roads Maintenance.
- C-5. Resolution; Commendation; Mr. Thomas Winfield; Actions on July 25, 2020.

**PRESENTATIONS**

- S-1. Resolution; Commendation; Deputy Joseph G. Curry; Service to Prince George County.
- S-2. Resolution; Commendation; Police Officer John “Butch” Pearson; Service to Prince George County.
- S-3. Resolution; Commendation; Mr. Thomas Winfield; Actions on July 25, 2020.

**SUPERVISORS’ COMMENTS**

**COUNTY ADMINISTRATOR’S COMMENTS**

**REPORTS**

**VDOT** – Crystal Smith

**Discussion of School Request to Change Accounting for School Sales Tax Revenue** – Betsy Drewry

**Department of Labor Workplace Regulations** – Dan Whitten

**CARES Funding** – Betsy Drewry and Jeff Stoke

**Issuance of DEQ Permit for Wastewater Treatment Plant** – Frank Haltom

**TABLED ITEMS**

- T-1. Resolution; Adoption of the Prince George County Solar Energy Facility Siting Policy.

**ORDER OF BUSINESS**

- A-1. Resolution; Award of Contract and Appropriation from Debt Proceeds (\$212,645 Architectural and Engineering Services County Garage Expansion).
- A-2. Resolution; Appropriation; (\$400,000 Public Safety and County Vehicle Purchases).
- A-3. Resolution; Award of Contract \$249,813.20; Appropriations from Debt Proceeds and Cameron Foundation and John Randolph Foundation Grants (\$218,207 Fire/EMS Zoll Monitor Purchases) and Budget Transfer from SNAP Investment Interest (\$31,606.20).

- A-4. Resolution: Re-Appropriation (\$2,734,039.08; Outstanding June 30, 2020 Encumbrances / Purchase Orders).
- A-5. Resolution: Authority to Make Expenditures for Required E-9-1-1 System Upgrades and Seek Reimbursement from the Commonwealth of Virginia (\$30,764 for VESTA Phone Upgrade and Conduit Path Installation).
- A-6. Resolution; Authority to Advertise a Public Hearing for the Appropriation of \$3,346,151 in Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 Coronavirus Relief Funds to a New Special Revenue Fund (Budget Amendment).
- A-7. Resolution; Authorization to Execute Second Amendment to Verizon Tower Lease Agreement (Burrowsville).
- A-8. Resolution; Authority to Advertise a Public Hearing for an Easement Between Prince George County and Mid-Atlantic Broadband Communities Corporation to Construct and Operate a Telecommunications Facility at 8200 Quality Drive.
- A-9. Discussion of Holy Mackerel ABC License Application.
- A-10. Resolution; Authorization to Hold a Public Hearing on September 1, 2020 to Consider Adoption of an Ordinance to Amend The Code of the County of Prince George, Virginia, 2005, as Amended, to Revise the Location of a Polling Place Within the Courts Building Election District from Main Floor of Courts Building, 6601 Courts Drive to Gregory Memorial Presbyterian Church, 6300 Courthouse Road.
- A-11. Consideration of Appointments – Board, Commissions, Committees, Authorities: Resolution of Appointment(s):
  - A. Resolution; Appointment of One Board Member and Three Citizen Appointments (CIP Committee).
  - B. Resolution; One Appointment; Social Services Advisory Board.

#### **PUBLIC HEARINGS**

- P-1. Public Hearing; Ordinance to Amend The Code of The County of Prince George, Virginia, by Amending §§ 90-1, 90-392, 90-442, and 90-492, and to Amend Article XXIII – Miscellaneous Provisions, by Adding “Requirements for Mobile Food Units” to Chapter 90, “Zoning,” § 90-1041 to Provide Requirements for the Permitting and Operation of Mobile Food Units in Permitted Districts of the County.
- P-2. Public Hearing for the Appropriation Of Up To \$1,300,000 to the Capital Projects Fund (Budget Amendment).

#### **ADJOURNMENT**

**Board meeting format:** Closed 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](http://www.princegeorgeva.org).**

**MINUTES**  
Board of Supervisors  
County of Prince George, Virginia

August 11, 2020

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, August 11, 2020 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
Alan R. Carmichael, Vice-Chairman	Present
Floyd M. Brown, Jr.	Present
Marlene J. Waymack	Present
T. J. Webb	Present

Also present was: Percy Ashcraft, County Administrator; Jeff Stoke, Deputy County Administrator; Betsy Drewry, Deputy County Administrator; Julie Walton, Deputy County Administrator; and Dan Whitten, County Attorney.

**CLOSED SESSION**

**E-1. Resolution; Closed Session for (i) Section 2.2-3711.A.1 for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; such discussion shall be limited to (a) CIP Committee, (b) Social Services Advisory Board, and (c) Community Corrections Department, and; (ii) Section 2.2-3711.A.5 for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding facilities in the County; such discussion shall be limited to Southpoint Business Park, and; (iii) Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel; I further move that such discussion shall be limited to the provision of legal advice relating to County owned property.** Mrs. Waymack made a motion, seconded by Mr. Webb, that the Board convene closed session for (i) Section 2.2-3711.A.1 for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; such discussion shall be limited to (a) CIP Committee, (b) Social Services Advisory Board, and (c) Community Corrections Department, and; (ii) Section 2.2-3711.A.5 for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding facilities in the County; such discussion shall be limited to Southpoint Business Park, and; (iii) Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel; I further move that such discussion shall be limited to the provision of legal advice relating to County owned property.

R-20-104

E-1.

RESOLUTION; CLOSED SESSION FOR (I) SECTION 2.2-3711.A.1 FOR DISCUSSION, CONSIDERATION, OR INTERVIEWS OF PROSPECTIVE CANDIDATES FOR EMPLOYMENT; ASSIGNMENT, APPOINTMENT, PROMOTION, PERFORMANCE, DEMOTION, SALARIES, DISCIPLINING, OR RESIGNATION OF SPECIFIC PUBLIC OFFICERS, APPOINTEES, OR EMPLOYEES OF ANY PUBLIC BODY; SUCH DISCUSSION SHALL BE LIMITED

TO (A) CIP COMMITTEE, (B) SOCIAL SERVICES ADVISORY BOARD, AND (C) COMMUNITY CORRECTIONS DEPARTMENT, AND; (II) SECTION 2.2-3711.A.5 FOR DISCUSSION CONCERNING A PROSPECTIVE BUSINESS OR INDUSTRY OR THE EXPANSION OF AN EXISTING BUSINESS OR INDUSTRY WHERE NO PREVIOUS ANNOUNCEMENT HAS BEEN MADE OF THE BUSINESS' OR INDUSTRY'S INTEREST IN LOCATING OR EXPANDING FACILITIES IN THE COUNTY; SUCH DISCUSSION SHALL BE LIMITED TO SOUTHPOINT BUSINESS PARK, AND; (III) SECTION 2.2-3711.A.8 FOR CONSULTATION WITH LEGAL COUNSEL REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY SUCH COUNSEL; I FURTHER MOVE THAT SUCH DISCUSSION SHALL BE LIMITED TO THE PROVISION OF LEGAL ADVICE RELATING TO COUNTY OWNED PROPERTY

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, does hereby vote to enter closed session for (i) Section 2.2-3711.A.1 for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; such discussion shall be limited to (a) CIP Committee, (b) Social Services Advisory Board, and (c) Community Corrections Department, and; (ii) Section 2.2-3711.A.5 for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding facilities in the County; such discussion shall be limited to Southpoint Business Park, and; (iii) Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel; I further move that such discussion shall be limited to the provision of legal advice relating to County owned property.

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

**E-2. Resolution; Certification of Closed Session.** At 6:04 p.m., Mr. Carmichael made a motion, seconded by Mr. Brown, 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-20-104A

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 11<sup>th</sup> day of August, 2020 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)

**WORK SESSION**

Mr. Tim Graves of the Planning Department led a discussion on a residential poultry ordinance discussion. Mr. Graves provided photos of coops and runs that are used to house chickens, a proposed ordinance and a spreadsheet that allowed the Board to compare Prince George County's requirements with other counties. Mr. Graves stated that in 2014, the County passed an ordinance amendment that specified that chickens are allowed in residential neighborhoods, but only on parcels of 2 acres or more. In May of this year, there was a complaint about hens in a residential neighborhood, and in response, the owner and some neighbors submitted letters requesting that the 2-acre requirement be reconsidered. At the Planning Commission meeting in June, Staff previewed the citizens' request with the Commission, and the Commission asked Staff to draft an ordinance amendment so they could consider possible changes to the ordinance. At the Planning Commission Meeting in July, Staff provided a draft ordinance with options for the Planning Commission to consider and requested the Commission's feedback. Since that meeting Staff received some feedback and updated the draft ordinance to offer two options of a draft ordinance to be considered at a public hearing currently scheduled for August 27. In addition, Staff has made some housekeeping changes including making poultry and bees an accessory use only, meaning a house needs to be present, poultry should be generally limited to the rear yard, and providing definitions for a coop and a run, improving the formatting of the ordinance, and making the requirements generally consistent across all zoning districts. Option A would implement those housekeeping changes, but otherwise keep the requirements basically the same. That would mean that chickens would remain prohibited in residential neighborhoods on lots that are smaller than 2 acres, and if a lot is larger than 2 acres, there would be a setback requirement of at least 150 feet from adjacent dwellings. Option B would integrate the input received from the Planning Commission to allow chickens on less than 2 acres, but in small quantities that scale up with the size of the property, so that larger properties can accommodate more chickens, but with higher setbacks when there are larger quantities of chickens. For example, on a 0.7 acre lot Zoned R-1, Option A, which is most similar to the current ordinance, would not allow any poultry on this parcel, while Option B, with the Planning Commission input, would allow up to 2 hens, only if they are at least 50 feet from adjacent dwellings. Staff plans to advertise for a Planning Commission public hearing to occur on August 27. At that meeting, the Commission will decide if they want to recommend an ordinance amendment at all, and if so, which of the two options would they be recommending to the Board. Mr. Carmichael asked if there was a reason for just two hens and would it be a problem to change it to four. Mrs. Waymack added that two hens would not be enough for a family to get eggs for a week. Mr. Carmichael stated that he would like to see it be four to six chickens in the same run and coop. Mr. Webb stated that he is not opposed to chickens in the backyard, but he is concerned that some citizens in residential neighborhoods might be. Mr. Brown suggested a community meeting prior to the public hearing to give people an opportunity to weigh in. Mr. Carmichael suggested that it require a permit so that it can be regulated by Animal Control.

Mr. Mike Purvis, General Services Director; Career Officer Harold Shreves, and Cliff Young, IT Director, led a discussion for a security camera system in the County complex buildings. Officer Shreves presented the Board with a physical security assessment. Mr. Young presented the Board with some preliminary budgetary numbers based on what the vendors believed what would meet the recommendations. The intent was to establish the price range the County would land in, if the Board wanted to continue pursuing the effort with the results ranging from \$70,000 to \$133,000, which would be all inclusive. Mr. Webb asked what the license renewals would be a year. Mr. Young stated that there is no recurring costs on the equipment they are looking at with a one-time license fee. Mr. Young clarified for Mr. Carmichael that it would be a five-year warranty and he stated for Mr. Webb that this project could be done in phases, however it would raise a potential risk of a price increase. The Board agreed to move forward with

Mr. Jeff Stoke, Deputy County Administrator, stated that there is a desire to relocate the polling location in the Prince George County Courthouse to the Gregory Memorial Presbyterian Church in precinct number 204. Per Code of Virginia 24.2-306, such a move must be approved 60 days prior to the general election. Staff is requesting Authority to Advertise the public hearing on the ordinance change and to set a special meeting of the Prince George County Board of Supervisors on Tuesday, September 1, 2020 for the public hearing and ordinance consideration. The advertisement must be posted per state code and, if approved, voters would have to be notified by mail in advance of the election. Mr. Webb asked what is driving this so late in the election. Mr. Allan Richeson, County Registrar, stated that the Security in the Courthouse has asked them to move the location in the wake of the outcome for the impending election, which may not be a

good mix with the Courts. Mr. Webb and Mr. Brown stated that they understanding the reasoning, but this is very short notice.

### **COUNTY ADMINISTRATOR'S COMMENTS**

Mr. Percy Ashcraft, County Administrator, stated that County Government Offices remain open. The public continues to be greeted at the door and temperature tests taken with new computerized technology. The requirement of wearing a mask exists under all conditions; County employees inside of buildings will wear a mask when interacting with the public. New workplace regulations went into effect July 27. A team from County Staff is coordinating the implementation and ensuring all the reporting requirements will be met. There are 428 confirmed cases of the coronavirus and two deaths reported in Prince George County according to the Crater Health District statistics through August 10; one County employee who works in the Courthouse tested positive. As of August 1, there have been 2,466 Prince George residents who have filed new unemployment claims since March 14; 813 claims have been continuous; Prince George unemployment rate for June is 8.6. As of August 7, 787 new applications have been received for SNAP, Medicaid & TANIF benefits in Social Services. Prince George Food Bank representatives continue to see an increase in visitors since non-essential businesses have closed. Donations are necessary to keep up with the increasing demand for services. A used vehicle previously utilized in the Police Department has been transferred to the Food Bank. Next testing site in Prince George County is Pleasant Grove Baptist Church on August 22 from 9-10:30 a.m. Testing is for people experiencing symptoms to the coronavirus. Drive-ups are preferred, but walk-ups will be accepted. Other continuing test sites are the Rite Aid and Patient First in Colonial Heights. The fitness center at the Parks & Recreation Community Center is open by appointment only, while the Central Wellness facility will remain closed. All outdoor Recreation sports have been canceled to align with the decision made by the Virginia High School League (VHSL) for school sports. Jury trials have been moved to the Beacon Theatre in Hopewell beginning in September to comply with workplace regulations. Expenses related to this will be covered by the CARES Act funding. Prince George Police and County Staff are combining to distribute PPE supplies to mobile home parks with funding from the CARES Act. Other County events planned this fall that have been canceled include National Night Out; Back to School Fair; Survivor Day; Great Beefsteak Raid; Clean Community Day; Czech & Slovak Festival; and Drug Take Back Day.

Chairman Hunter called for a recess at 6:55 p.m. The meeting reconvened at 7:00 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 7:03 p.m. There was no one to speak and the public comments period was closed.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

C-1. Draft Minutes – July 14, 2020 Regular Meeting; and July 28, 2020 Adjourned Meeting were approved as presented.

C-2.

RESOLUTION: COMMENDATION; DEPUTY JOSEPH G. CURRY;  
SERVICE TO PRINCE GEORGE COUNTY

WHEREAS, on January 1, 2007, Joseph G. Curry began his employment with the County of Prince George as a Deputy Sheriff and continued in this capacity until he retired on April 30, 2020; and

WHEREAS, Joseph Curry served as an auxiliary police officer from 1995-2015; and

WHEREAS, Joseph Curry spent time volunteering in the community with various events such as reading nights at the school, tip-a-cop for Special Olympics, National Night Out, among other community service efforts; and

WHEREAS, throughout his remarkable career in Law Enforcement, spanning more than 13 years, Joseph Curry has served the citizens of the County and the Commonwealth to the utmost of his ability, demonstrating patriotism, integrity, and devotion to Law Enforcement and Public Safety in a manner bespeaking the dedication of a true public servant. Mr. Curry's institutional knowledge will be irreplaceable and will be sorely missed by the Sheriff's Department, the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors and the County of Prince George this 11th day of August, 2020, does hereby commend Joseph G. Curry for a total of 13 years and 3 months of dedicated service to the County; and

BE IT FURTHER RESOLVED That the Board wishes to express their sincere gratitude for his commitment to the County and its citizens and extends to Joseph G. Curry much happiness as he enters the next phase of his life.

R-20-105A

C-3.

RESOLUTION; COMMENDATION; JOHN "BUTCH" PEARSON; SERVICE TO PRINCE  
GEORGE COUNTY

WHEREAS, John "Butch" Pearson was selected to be a member of the Prince George Auxiliary Police by Sheriff Perry A. Lewis on August 4, 1993; and

WHEREAS, on June 16, 1994 John "Butch" Pearson was hired as a part-time temporary Communications Officer and became a full-time Communications Officer on July 1, 1995; and

WHEREAS, John "Butch" Pearson was promoted on April 1, 1996 to a Police Officer and continued in this capacity until he retired on June 30, 2020; and

WHEREAS, during his career, Officer Pearson served in the capacity of Uniform Patrol Officer, School Resource Officer, Crash Team member and a member of the Marine Unit; and

WHEREAS, Officer Pearson was commended on his heroic actions at a highway-rail grade crossing in Jarratt, Virginia, saving an individual's life; and

WHEREAS, Officer Pearson was commended on his assistance with a student having a seizure and continued assistance with EMS making a positive outcome possible; and

WHEREAS, Officer Pearson was commended on his bravery and courage while putting his safety at risk by jumping into unknown waters while attempting to save the driver of an overturned and submerged vehicle; and

WHEREAS, Officer Pearson's fellow co-workers refer to him as being positive, jovial, compassionate, hard-working, dependable, loyal and proud; and



WHEREAS, throughout his remarkable career in Law Enforcement, Officer Pearson has served the citizens of the County and the Commonwealth to the utmost of his ability, demonstrating patriotism, integrity, and devotion to Law Enforcement and Public Safety in a manner bespeaking the dedication of a true public servant;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11th day of August, 2020 does hereby commend John “Butch” Pearson for completion of twenty-six years of dedicated service to the County and its citizens; and

BE IT FURTHER RESOLVED that this Board wishes to extend to John “Butch” Pearson much happiness and continued success as he enters the next phase of his life.

R-20-105B

C-4.

RESOLUTION; ACCEPTANCE OF CEDARWOOD SECTION TWO-EXTENSION  
RTE 1040, NEW RTE. 1039, RTE. 1043 & RTE. 1044 INTO VIRGINIA  
DEPARTMENT OF TRANSPORTATION/ SECONDARY SYSTEM OF ROADS  
MAINTENANCE

WHEREAS, the Cedarwood Section Two Subdivision has been completed, and

WHEREAS, the streets of Cedarwood Section Two Subdivision meet the public service criteria of the Subdivision Street Requirements; and

WHEREAS, the development sketch and VDOT Form AM 4.3, attached and incorporated herein as part of this resolution, define additions required in the Secondary System of State Highways as a result of construction; and

WHEREAS, certain segments identified on the incorporated Form AM 4.3 are ready to be accepted into the Secondary System of State Highways.

NOW THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the segments identified on the incorporated Form AM 4.3 to the Secondary System of State Highways, pursuant to §33.2-705 of the *Code of Virginia*, for which segments this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage, and

BE IT FINALLY RESOLVED, a certified copy of this resolution be forwarded to the Virginia Department of Transportation.

R-20-105C

C-5.

RESOLUTION; COMMENDATION; MR. THOMAS WINFIELD; ACTIONS ON JULY 25,  
2020

WHEREAS, On July 25, 2020, Prince George Fire & EMS units were dispatched to Arwood Road in the Disputanta area of the County for a reported house fire; and

WHEREAS, arriving units notice smoke coming from the side of the dwelling; and

WHEREAS, personnel noticed a neighbor who had dialed 911, Mr. Thomas Winfield, attempting to extinguish the fire coming from the residence with a garden hose; and

WHEREAS, units were able to bring the situation under control quickly due to the actions of the neighbor; and

WHEREAS, Mr. Winfield's actions held the fire in check and minimized the damage to a point where the homeowner, who was not at home at the time, was able to return to the residence.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, does hereby commend and thank Mr. Thomas Winfield for his quick actions and for serving his fellow citizen in this incident.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **PRESENTATIONS**

**S-1. Resolution; Commendation; Deputy Joseph G. Curry; Service to Prince George County.** Chairman Hunter presented the commendation to Deputy Curry in the presence of his family and Sheriff Allin.

**S-2. Resolution; Commendation; Police Officer John "Butch" Pearson; Service to Prince George County.** Chairman Hunter presented the commendation to Officer Pearson in the presence of his family and fellow officers.

**S-3. Resolution; Commendation; Mr. Thomas Winfield; Actions on July 25, 2020.** Mrs. Waymack presented the commendation to Mr. Winfield in the presence of his neighbors, Interim Fire and EMS Director Paul Mauger, and Captain Mike Lilly.

### **SUPERVISORS COMMENTS**

Mrs. Waymack asked the public to support the Prince George County School System in the upcoming school year with an all new way of learning.

Mr. Carmichael stated that the commendation presentations are just another example of how great Prince George County is.

Chairman Hunter reminded the public again to make their appointments for COVID testing if necessary. He also mentioned the failed culvert on Silvercrest Lane and stated that his thoughts are with those people.

### **REPORTS**

**VDOT**– Ms. Crystal Smith of the Virginia Department of Transportation stated that the crews have been concentrating on ditches, failed pipes, and beaver dams due to all of the rain. They have also been working on clearing back tree lines and site distances in preparation for the new school year. Ms. Smith stated that there have been several requests for a signal study at the intersection of Route 460 and Enterprise Drive. She is recommending that they move forward on that with a formal review. The Board gave its consent. Mr. Brown stated that the paving on Rives Road really looks nice.

### **ORDER OF BUSINESS**

**A-3. Resolution; Award of Contract \$249,813.20; Appropriations from Debt Proceeds and Cameron Foundation and John Randolph Foundation Grants (\$218,207 Fire/EMS Zoll Monitor Purchases) and Budget Transfer from SNAP Investment Interest (\$31,606.20).** Ms. Betsy Drewry, Deputy County Administrator and Finance Director stated that as part of the FY2021 adopted budget and CIP, Zoll Monitor purchases were approved for an amount of \$157,276 to be paid for with debt issuance in the spring of 2021. During the May 12, 2020 Board of Supervisors meeting Work Session, Fire & EMS and Finance provided information related to the purchase of replacement Zoll monitors for Fire/EMS. The E-Series monitors must be taken out of service by February 3, 2021 per FDA requirements. Five (5) monitors were included in the CIP and there is a need to replace a total of 9 units; 8 *active* Zoll E-Series monitors and 1 *spare*. The pricing quoted for the CIP process was the price *without warranty* and the pricing has changed since the CIP submission. Grant applications were filed and awarded for the purchase of 4 monitors with the Cameron Foundation (2) and the John Randolph Foundation (2). Those grants are 50/50 awards (require a 50% local match) and the grant proceeds only cover 1 monitor per grant. Those 5 purchased through the CIP *can be used* to satisfy the local match requirement.

The total awarded funds available is \$218,207. Zoll Medical Corporation provided pricing under a cooperative contract through the National Association of State Purchasing Officials (NASPO) contract #SW300. The current request from Fire/EMS urges that warranties be purchased with these units in the event there is damage to or an issue with any unit. The funds needed for 7 Units with Warranty is \$249,813.20, leaving a deficit of (\$31,606.20). The staff recommendation is to approve funding for 7 units on August 11, 2020, using an appropriation of SNAP investment interest from Series Fall 2019 Bonds to cover the \$31,606.20 deficit. Fire and EMS has indicated they will pursue grant funding to cover the purchase of the 2 other needed units. Potential grant funding sources are 4-For-Life (awarded annually), or Cameron Foundation and John Randolph Foundation grants – apply during next grant cycle. There is enough 4-For-Life funding currently on hand to purchase the two other needed units, however, there may be other needs for that funding. Fire/EMS will evaluate priorities and timing for the purchase of the other two units. Staff is requesting that the Board approve an appropriation resolution for Cameron Foundation Grant award of \$30,366 and authorize the County Administrator to sign award acceptance letter, approve an appropriation resolution for John Randolph Foundation Grant award of \$30,565 and authorize the County Administrator to sign award acceptance letter (Letter of Agreement - LOA), approve an appropriation resolution, appropriating \$157,276.00 to CIP with bond proceeds as the source, approve a budget transfer of of \$31,606.20 from using Series Fall 2019 SNAP investment proceeds, and award the contract to Zoll Medical Corporation in the amount of \$249,813.20 for the purchase of 7 Zoll Monitors. In addition, the Board needs to approve a reimbursement Resolution for future debt issuance. Mr. Webb made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-20-106

A-3.

RESOLUTION; AWARD OF CONTRACT \$249,813.20; APPROPRIATIONS FROM DEBT PROCEEDS AND CAMERON FOUNDATION AND JOHN RANDOLPH FOUNDATION GRANTS (\$218,207 FIRE/EMS ZOLL MONITOR PURCHASES) AND BUDGET TRANSFER FROM SNAP INVESTMENT INTEREST (\$31,606.20)

WHEREAS, The existing E-Series Zoll Monitors in operation in the Fire & EMS department must be taken out of service by February 3, 2021 to be USDA / FDA compliant; and

WHEREAS, estimated funding for the purchase of five (5) monitors was approved in the adopted FY2021 Budget / CIP with debt issuance in the spring of 2021 as the funding source, and the majority of the funding needed for two (2) additional monitors was secured through John Randolph Foundation and Cameron Foundation grants as follows:

Adopted FY2021 Budget / CIP Funding - \$157,276.00  
John Randolph Foundation Grant Award - \$30,565.00  
Cameron Foundation Grant Award - \$30,366.00  
Total Funding Available - \$218,207.00; and

WHEREAS, Zoll Medical Corporation provided final pricing under a cooperative NASPO (National Association of State Procurement Officials) contract for seven the needed Monitors at \$249,813.20 that is available for use by Prince George County. Staff is requesting authorization for the County Administrator to enter into a contract with Zoll Medical Corporation for \$249,813.20. The shortfall of \$31,606.20 between contract pricing and available funding will be covered by an appropriation of available SNAP investment interest from Series Fall 2019.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 11th day of August, 2020, hereby awards the contract for the purchase of Zoll Monitors to Zoll Medical Corporation for \$249,813.20 and authorizes the County Administrator to execute a contract with Zoll Medical Corporation.

NOW, THEREFORE, BE IT ALSO RESOLVED That the Board of the Supervisors of the County of Prince George this 11th day of August, 2020, approves the acceptance of the John Randolph Foundation (\$30,565) and Cameron Foundation (\$30,366) grants and authorizes the County Administrator or his designee to sign and execute the grant acceptance letters.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Board of Supervisors of the County of Prince George this 11th day of August, 2020, does hereby authorize the following increase of funds within the 2020-2021 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>		
0311-03-200-3207-48121	CIP – Zoll Monitors	\$249,813.20
 <u>Revenue:</u>		
0311-40-900-8115-341401	Debt Proceeds	\$157,276
0311-10-509-8205-319502	John Randolph Foundation Grant	\$30,565
0311-10-509-8205-319501	Cameron Foundation Grant	\$30,366
0311-40-900-8208-399999	CIP Fund Balance SNAP Interest Series Fall 2019	\$31,606.20

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

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

R-20-106A

A-3.

**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 Zoll monitors / defibrillators for Fire/EMS of \$157,276;

WHEREAS, the Board currently expects that the cost of the Purchase, excluding the costs of the financing thereof, will be approximately \$157,276 (excluding non-debt funding sources);

WHEREAS, the Board currently expects to incur long-term indebtedness in an amount now estimated at \$157,276 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 \$157,276.
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) Hunter, Webb, Brown, Carmichael, Waymack

Opposed: (0)

Absent: (0)

### **PUBLIC HEARINGS**

**P-1. Public Hearing; Ordinance to Amend The Code of The County of Prince George, Virginia, by Amending §§ 90-1, 90-392, 90-442, and 90-492, and to Amend Article XXIII – Miscellaneous Provisions, by Adding "Requirements for Mobile Food Units" to Chapter 90, "Zoning," § 90-1041 to Provide Requirements for the Permitting and Operation of Mobile Food Units in Permitted Districts of the County.** Mr. Tim Graves of the Planning Department stated that in July 2014, the Board of Supervisors passed an ordinance amendment which established specific Zoning Ordinance requirements for Temporary Food and Beverage Sales and Seasonal Fireworks and Tree Sales. This ordinance amendment had the effect of allowing food trucks in M-1 and M-2 zoning districts with conditions for licensing, owner permission and minimum parking. In the time since that ordinance amendment was implemented, food truck operators have repeatedly requested the opportunity to conduct sales in additional locations within the County, such as in shopping centers or individual lots within business districts. The Board of Supervisors asked the Planning Commission and Staff to research food truck regulations and provide recommendations for how to ensure consistent treatment of food trucks throughout the County and allow them to operate in appropriate areas and under appropriate conditions. After completing research including a review of literature from the American Planning Association among other sources, as well as review of ordinances, practices and policies of peer counties and applicable regulatory agencies in Virginia, Staff presented the findings and resulting recommendations to the Commission and the Board. The Board asked Staff to bring forward an ordinance amendment to implement the recommendations. Staff prepared a draft ordinance amendment and invited 38 food truck operators and restaurant owners to a Community Meeting held at the County Administration Building on November 11, 2019. At least 9 food truck operators attended and offered input to County Staff and members of the Planning Commission and the Board of Supervisors. Based on input from the community meeting, Staff revised the draft ordinance to relax and clarify requirements related to the site

sketch, location on the lot, parking, signage, noise, time limit on-site, and other factors. The revised ordinance will allow a mobile food unit in M-1, M-2, and B-1 zoning districts. If they are operating at a private event or an approved Special Event, they do not need to obtain zoning approval. There will be a six-hour time limit on site each day. Some of the impacts on operators will be better options for sales locations, no zoning approval necessary if not open to general public, they can have multiple locations with only one zoning fee, a better understanding of expectations, can request additional locations remotely, and Staff review time for each application will decrease. On January 9, 2020, Staff sent the revision to food truck operators who had attended the community meeting. One comment was received from an operator, who proposed alternative language to allow the property owner to determine the time limit. Staff recommends against this option because it could effectively mean there would be no limit. Three members of the public spoke during the public hearing at the February 27, 2020 Planning Commission Meeting; one food truck operator expressed a preference for an alternative 8-hour time limit on a site per day, one county resident spoke in favor of food trucks in general, and one county business owner expressed concern with the time limit. After closing the public hearing, the Planning Commission discussed the proposed 6-hour time limit with Staff. Staff noted that the time limit on site was increased from 4 hours to 6 hours, including setup and cleanup, based on feedback from the Community Meeting. The Planning Commission discussed additional clarifying details about the proposed amendment, and then made a motion to recommend Approval of the Proposed Ordinance Amendment as written, with an additional suggestion that the 6-hour per-day time limit be revisited in the future if in practice it did not meet what the operators find reasonable. Chairman Hunter opened the public hearing at 7:41 pm.

Ms. Melanie Benit (Institute for Justice, Arlington, Virginia). Ms. Melanie Benit of the Institute for Justice spoke on behalf of Thomas Santi. The Institute for Justice advocates for all Americans the right to earn an honest living. Ms. Benit stated that they reached out to counsel about two months ago on behalf of Mr. Santi and did not hear anything back. She stated that Mr. Santi and his wife have worked in the food industry for over 20 years. They have been operating their food truck as a mobile eatery but they want to purchase an unused parcel of land where they can park and operate their trailer daily. As their business grows, they intend build a more traditional brick and mortar on the same parcel. Ms. Benit stated that the Santi's dreams have been put on hold due to actions of the County. She asked the Board why they are making it so hard for a County resident to open up a productive business. Ms. Benit stated that Mr. Santi spent \$40,000 on a food trailer that he cannot use. She did say that she is in support of this ordinance as it is an excellent step forward but there are definitely more improvements to be made. She stated that forcing food truck entrepreneurs apply for a permit each year serves no purpose. She also stated that food trucks should not be subjected to duration restrictions, therefore removing the restriction of hours of operation. Food trucks should not be banned from areas that have other places to eat. She stated that should be removed from the ordinance as well.

Thomas Santi (4701 Red Gate Drive, Disputanta). Mr. Santi stated that their goal is to place their food truck permanently at a parcel of land he plans to purchase. He knows there is not an ordinance quite yet for what he plans to do, but would like to have a sit-down meeting to see where he can fit somewhere in the County puzzle. She stated that his trailer is 20 ft. long and weighs 13,000 pounds. Therefore, to move it every six hours is quite a chore between breaking down and setting up every day. He is hoping for an exemption or extension that would at least give him six hours of operating time with an hour to set up and an hour to break down or any combination of that.

William Steele (County Line Road, Disputanta). Mr. Steele stated that he is concerned that Administration has not responded to the Institute for Justice. He would like to know why.

There was no one else to speak and the public hearing was closed at 7:53 pm. Mr. Brown stated that he has not received any emails, phone calls, or correspondence from the Institute for Justice. He stated that he was under the impression that the County was addressing Mr. Santi's issues after the Community meeting. He stated that it needs to be addressed perhaps by looking at an eight-hour window. Mr. Carmichael concurred. Mr. Webb apologized to Mr. Santi for the frustration of waiting on an answer. He recommended that they call Board members directly when they are having an issue. Ms. Julie Walton, Deputy County Administrator, clarified that an email came to the Planning Department and it was forwarded on to Assistant County Attorney Andrea Erard. Ms. Erard had advised Ms. Walton that the first step would be to pass this

ordinance and then address Mr. Santi's very unique request through the building code process. Mr. Webb asked how different would this be from a mobile home. Ms. Walton stated that there are hurricane straps, water hook-up, and many other requirements on a mobile home. Mr. Brown asked if anyone has bothered to respond to the Institute for Justice. Ms. Walton stated that she responded to the email and indicated that this public hearing would take place this evening, and advised them that all further communication should go through the County Attorney's office. Ms. Walton clarified for Mr. Brown that they are open to looking at an eight-hour window. She also clarified for Mr. Brown that he could leave the setup and still operate for six hours if it is on his property he owns or leases without changing the ordinance to eight hours. Mr. Brown made a motion, seconded by Mr. Webb, to approve the rezoning request as amended adding that at the end of the six (6) hour time period, equipment and furniture shall be either removed from the site or stored on-site within the unit or within an enclosed structure. Roll was called on the motion.

O-20-18

P-1.

ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, BY AMENDING §§ 90-1, 90-392, 90-442, AND 90-492, AND TO AMEND ARTICLE XXIII – MISCELLANEOUS PROVISIONS, BY ADDING “REQUIREMENTS FOR MOBILE FOOD UNITS” TO CHAPTER 90, “ZONING,” § 90-1041 TO PROVIDE REQUIREMENTS FOR THE PERMITTING AND OPERATION OF MOBILE FOOD UNITS IN PERMITTED DISTRICTS OF THE COUNTY.

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

*(1) That §90-1 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:*

Sec. 90-1. - Definitions.

*Food* means a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

*“Mobile food unit”* means a food establishment that is mounted on wheels, readily moveable from place to place at all times during operation, and shall include but not be limited to pushcarts, trailers, trucks, or vans. The unit, all operations, and all equipment must be integral to and be within or attached to the unit.

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*(2) That §90-392 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:*

Sec. 90-392. - Uses and structures permitted by right.

In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:

(50) Mobile Food Units, subject to the provisions of Section 90-1041.

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*(3) That §90-442 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:*

Sec. 90-442. - Permitted uses.

In the M-1 limited industrial district, any structure to be erected or land to be used shall be for one or more of the following uses:

~~(22) Prepared food and beverage vendors, provided that:~~

- ~~a. Only prepared food and beverage sales as licensed by county, state and/or federal government requirements shall be sold from self-contained food trucks with the owner or agent's written permission and county zoning approval for the food and beverage sales on the premises.~~
- ~~b. Sufficient area shall be set aside to provide a minimum of five temporary offstreet parking spaces. If the sales are conducted on the same lot with an existing use, the required minimum and most accessible parking spaces for the existing use shall not be used for prepared food and beverage sales.~~

(22) Mobile Food Units, subject to the provisions of Section 90-1041

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(4) *That §90-492 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:*

Sec. 90-492. - Permitted uses.

In the M-2 general industrial district, buildings to be erected or land to be used shall be for one or more of the following uses:

~~(24) Prepared food and beverage vendors provided that:~~

- ~~a. Only prepared food and beverage sales as licensed by county, state and/or federal government requirements shall be sold from self-contained food trucks with the owner or agent's written permission and county zoning approval for the food and beverage sales on the premises.~~
- ~~b. Sufficient area shall be set aside to provide a minimum of five temporary offstreet parking spaces. If the sales are conducted on the same lot with an existing use, the required minimum and most accessible parking spaces for the existing use shall not be used for prepared food and beverage sales.~~

(24) Mobile Food Units, subject to the provisions of Section 90-1041

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(5) *That Chapter 90, ARTICLE XXIII Miscellaneous Provisions of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:*

Sec. 90-1041 – Requirements for Mobile Food Units

The following requirements shall apply to the permitting and operation of Mobile Food Units in permitted zoning districts of the County.

1. *Exclusions.* The provisions of this section shall not apply to Mobile Food Units sales locations in conjunction with the following:
  - a) A Special Event, for which a special event permit is required per Chapter 58 of the county code.
  - b) A private catered event not serving the general public.
2. *Zoning Permits.*
  - a) *Base of Operations.* For Mobile Food Unit businesses based in Prince George County, in addition to zoning approval for the sales location(s), zoning approval must be obtained for the Base of Operations, where activities such as storage, loading and garaging (regular overnight parking) take place.
  - b) *Commissary.* For mobile food unit businesses which prepare food outside of the mobile food unit and inside a health department-approved commissary located in



Prince George County, zoning approval shall be required for the commissary location either separately or as part of the Base of Operations.

- c) *Sales Location(s)*. Applicants must seek zoning approval for sales operation on each individual lot, and may have multiple sales locations on a single lot.
  - d) *Renewal and Fees*. Operators must seek renewal of approval for sales location(s) each year, regardless of any business license exemption. A single fee shall cover the review of up to 5 different lots for sales locations during a calendar year.
  - e) *Amendment*. At any time during the permit period, the operator may modify approved location(s) on a lot by submitting an updated sketch, with property owner authorization.
  - f) *Display*. Copies of the zoning permit and all applicable permits or licenses shall be kept in the food unit at all times.
3. *Zoning Permit Application*. A zoning permit must be obtained for each sales location prior to beginning on-site operations. Applications shall be accompanied by the following:
- a) *Health Department License*. A copy of a valid license from Virginia Department of Health for the unit.
  - b) *Business License*. A copy of a valid business license for the business from a locality in the state of Virginia.
  - c) *Zoning Approval for Base of Operations and/or Commissary*. If applicable.
  - d) *Owner Permission*. Signed authorization from the property owner or agent of any lot or parcel proposed to accommodate a unit for a sales location.
  - e) *Site Sketch*. Applicants shall provide a scaled drawing or aerial imagery to show the proposed location(s) of the unit on the lot, and additional detail upon request to show compliance with the zoning ordinance.
4. *Fire Safety Compliance*. Exhaust systems and fire protection systems shall be inspected and cleaned in accordance with the Virginia Statewide Fire Prevention Code.
5. *Location of unit for operation shall adhere to the following requirements:*
- a) At least 15 feet from the edge of any driveway, utility box or vaults, handicapped ramp, building entrance, exit or emergency access/exit, emergency call box or fire hydrant.
  - b) At least 100 feet from any on-site residential dwelling or the main entrance of any existing off-site food establishment.
  - c) Not within any area of the lot or parcel that impedes, endangers, or interferes with access, passage or circulation of other lot users, or creates safety or visibility problems for vehicles and pedestrians.
  - d) Not in designated handicapped parking spaces.
  - e) Not in any right of way, nor obstructing any access easement nor fire lane.
6. *Equipment and furniture* used for the operation of the unit shall be considered physically part of the use of the unit for setback purposes, shall be located within twenty (20) feet of the unit, and shall be removed when the unit is removed.
7. *Parking provided*.
- a) Sufficient parking area shall be available to provide a minimum of ten (10) shared off-street spaces, or a minimum of 5 spaces when no other use is present, excluding any spaces occupied by the unit.
  - b) Available parking shall be of sufficient quantity and location such that there is no obstruction of a public right of way used to access the lot.
  - c) Parking construction standards shall be in accordance with Article XIX of this chapter.
8. *Signage*.
- a) No more than one (1) unattached A-frame or equivalent temporary sign may be used for advertising or attention-getting purposes, which may be positioned no more than fifty (50) feet from the unit and shall not exceed six (6) square feet in area for each face and four (4) feet in height, and shall not be placed within 10 feet of a public road right-of way.

- b) Signage for menu purposes located within three (3) feet of the unit shall be considered attached for the use.
- c) Attention-getting appurtenances such as flags and banners, whether attached or detached, shall not be allowed, unless by another section of this ordinance.
- d) All signage and appurtenances must be removed when the unit is removed.

9. *Lighting.* No flashing or moving lights are permitted as part of a unit's operation.

10. *Noise.* Operation of the units shall be in compliance with the County's Noise Ordinance.

11. *Trash and Waste.* Operators shall provide at least one trash receptacle within ten feet of the unit and are responsible for the proper disposal of waste and trash associated with the operation.

12. *Presence of operator.* When open for business, the operator of the unit or designee must be present at all times, except in cases of emergency.

13. *Hours of operation.* Operational hours for units shall be between the hours of 6am to 8pm, for a maximum of six (6) hours per individual lot during a single day, including packing and unpacking of supplies and equipment. At the end of the six (6) hour time period, equipment and furniture shall be either removed from the site or stored on-site within the unit or within an enclosed structure.

14. *Enforcement.* If at any time evidence is provided that a lot is being used other than in compliance with an approved permit or the zoning ordinance, the property owner may be cited for the violation in accordance with Section 90-17, and/or the permit may be revoked.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**P-2. Public Hearing for the Appropriation of Up to \$1,300,000 to the Capital Projects Fund (Budget Amendment).** Ms. Drewry stated that at the regular July 14, 2020 Board of Supervisor's meeting, Paul Mauger, Interim Director of Fire & EMS, presented a report expressing the urgent need to purchase Self Contained Breathing Apparatus (SCBA) for approximately \$1,300,000. This purchase was not included in the adopted FY2021 CIP, nor as part of an upcoming borrowing / bond issuance. The project was part of the FY2019 adopted CIP, however the funding and purchase did not move forward. On July 14, the Board directed staff to provide funding options to make this purchase during FY2021, and to advertise an August 11 public hearing to amend the FY2021 budget by up to \$1,300,000 for this purchase. Final pricing for the SCBA was provided by Witmer Public Safety using HGAC buy cooperative contract of \$1,072,505 on July 28. On July 28, the board held a special work session to consider nine (9) funding options for the purchase of the SCBA. Option 9 was approved by consensus by the board, and will devote the equivalent of 1¢ in RE Tax Revenue to a new, special CIP fund/account for Fire/EMS Equipment. Funding for this purchase will be included in the spring 2021 borrowing, if approved, and the equipment will be financed over a 15-year period, the estimated useful life of SCBA. A new ordinance will be developed and presented to the Board in the next few months that outlines what can be purchased with the devoted 1¢ in Real Estate Tax revenue. Staff is requesting the board to approve an appropriation resolution, appropriating revenues and authorizing purchase of SCBA in FY2021 Award of contract to Witmer Public Safety Group, Inc. using cooperative procurement / HGAC contract. In addition, the Board needs to approve a Reimbursement Resolution for future debt issuance. Chairman Hunter opened the public hearing at 8:17 pm.

Mr. William Steele (County Line Road, Disputanta). Mr. Steele stated that he is dumb-founded why they are changing the CIP and what they are going to cut to make up for this. He suggested the ball field upgrades.

There was no one else to speak and the public hearing was closed at 8:19 pm. Mr. Webb stated that this Board has dedicated one cent to this equipment because it is needed. They are going to be challenged to find a way to cover that one cent. He is still committed to that. Mr. Brown added that they will need to find a way without raising the tax by one cent. Mrs. Waymack agreed that this is something that they need to do. Mr. Webb made a motion, seconded by Mr. Brown, to award the contract. Roll was called on the motion.

R-20-107

P-2.

**RESOLUTION; AWARD OF CONTRACT & APPROPRIATION FROM DEBT PROCEEDS (\$1,072,505 FIRE/EMS SELF-CONTAINED BREATHING APPARATUS PURCHASES)**

WHEREAS, The Interim Director of Fire & EMS requested the purchase of replacement Self-Contained Breathing Apparatus (SCBA) and staff was directed to move forward with the purchase and present funding options to the Prince George County Board of Supervisors for consideration; and

WHEREAS, the Board approved by consensus, devoting the equivalent of 1 cent in Real Estate Tax Revenue beginning in FY2022, to the purchase of this and similar equipment by issuing debt in the spring of 2021 with a fifteen year repayment term; and

WHEREAS, the Board will consider approval of a new ordinance outlining the terms and allowable purchase of this newly devoted 1 cent in real estate tax revenue at a future meeting after conducting a public hearing; and

WHEREAS, Witmer Public Safety provided final pricing under a cooperative H-GAC Buy (Houston-Galveston Area Council) contract for the needed SCBA at \$1,072,505 that is available for use by Prince George County. Staff is requesting authorization for the County Administrator to enter into a contract with Witmer Public Safety for \$1,072,505.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 11th day of August, 2020, hereby awards the contract for the purchase of Self-Contained Breathing Apparatus (SCBA) to Witmer Public Safety for \$1,072,505 and authorizes the County Administrator to execute a contract with Witmer Public Safety.

NOW, THEFORE, BE IT FURTHER RESOLVED That the Board of Supervisors of the County of Prince George this 11th day of August, 2020, does hereby authorize the following increase of funds within the 2020-2021 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>	
0311-03-200-3206-48121      CIP – Self-Contained Breathing Apparatus	\$1,072,505
 <u>Revenue:</u>	
0311-40-900-8115-341401      Debt Proceeds	\$1,072,505

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

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

R-20-107A

P-2.

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 self-contained breathing apparatus (SCBA) for Fire/EMS of \$1,072,505;

WHEREAS, the Board currently expects that the cost of the Purchase, excluding the costs of the financing thereof, will be approximately \$1,072,505;

WHEREAS, the Board currently expects to incur long-term indebtedness in an amount now estimated at \$1,072,505 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 \$1,072,505.
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) Hunter, Webb, Brown, Carmichael, Waymack

Opposed: (0)

Absent: (0)

**REPORTS (cont'd)**

**Discussion of School Request to Change Accounting for School Sales Tax Revenue** – Ms. Drewry stated that Monique Barnes, School Finance Director, made a request to Josh Roller, Audit Director Robinson, Farmer Cox, to change accounting treatment of School Sales Tax Revenue “accruals” for FY2020. Currently the school division accrues July and August School Sales Tax Collections to the prior fiscal year. The School Finance Director would like to change from accruing two-months (July and August) to accruing only one month (July). School divisions are afforded the option of accruing one or two months when reporting revenues to the Virginia Department of Education (VDOE) in their Annual School Report – Financial (ASRFIN). Mrs. Barnes provided 2017 data from VDOE that showed 56 divisions accrued one month and 72 divisions accrued two months of Sales Tax Revenues. Mr. Roller indicated that the change would be immaterial to the financial statements as a whole, and if the County Board of Supervisors and School Board were in agreement to make the change, they would support it. The School Board indicated at its August 6 meeting that they do support the change. If approved, the change would result in 11 months of School Sales Tax revenue being recorded for FY2020 instead of 12 months. School Sales Tax Revenues fluctuate from month to month, and the estimated reduction in FY2020 school revenue is \$470,000 - \$550,000. Future years will not be impacted. If the change in accrual periods is allowed (two months to one month accruals), the approximate reduction in FY2020 School Sales Tax revenue is estimated at \$470,000 - \$550,000 (and the amount to revert to fund balance would be reduced by this amount). The school division is projected to meet budgeted revenue targets for FY2020, even with this change due to excess federal Impact Aid revenue collections in FY2020 [excess of \$620,164.27; \$4,000,000 Budgeted; \$4,620,164.27 Actual.] Estimated loss in school revenue reverting to fund balance of \$470,000 - \$550,000. The school division typically requests re-appropriation of “carryover funds” [revenues over expenditures] annually to meet capital needs. Mr. Webb stated that this goes against generally accepted accounting principles. He believes it looks like a way for the Schools to have the money without having to come back before the Board to have it reappropriated for that one-month period. Ms. Barnes stated that they were expecting a shortfall of about \$700,000 and they have been protecting their budget to make sure they did not overspend leaving a portion of their budget unspent that the County would have received anyway. Mr. Webb stated that the Schools are in the same boat as the County, no one has a good number at this point and he believes they should continue as they always have. Ms. Barnes stated that it is much easier to try to project when you are not looking at August figures. Mr. Carmichael stated that he would like to leave it as is. If the Schools end up needing more money, they will reappropriate it as they do every budget season. It is everyone’s duty to work within the means of their budget. Chairman Hunter stated that he does not fully understand this and is not ready to address it at this point.

**Department of Labor Workplace Regulations** – Mr. Dan Whitten, County Attorney, stated that on July 15, the Virginia Safety and Health Codes Board adopted emergency temporary standards related to infectious disease prevention. The regulations took effect on July 27 and the standards expire within six months of the effective date, upon expiration of State of Emergency or when repeated. Employers are required to classify the risk of each of their employee positions as very high, high, medium or lower depending on risk of exposure. Law enforcement and fire and rescue positions are considered high risk. Positions that require contact within six feet are medium risk. Positions that do not require contact within six feet are considered low risk. Training on the standards must take place by August 26. An infectious disease preparedness and response plan and training on the plan shall take place by September 25. The County must create a reporting process for employees experiencing COVID symptoms. Those suspected to be infected must leave work and can not return until cleared but they can work remotely. The County must encourage self-monitoring and ensure access to a test. Leave policies must be flexible. Subcontractors must be made aware of safety and reporting rules. The County must establish a HIPAA compliant system to receive positive test reports from employees and contractors. The Department of Health and anyone in the building who may have been exposed in the past 14 days must be notified within 24 hours of a positive report. If three or more positive tests have occurred, the Department of Labor and Industry must be notified. Employees may return to work one at least 10 days have passed since symptoms first appeared and there

have been no symptoms for 72 hours. The County must display signs and visual cues to encourage distancing of six feet. It must decrease workplace density by limiting visitors and promoting telework and it must comply with executive and public health orders related to occupancy limits by posting limits on rooms. The County must close or control access to common areas, have adequate hand washing and sanitizing facilities, and a routine cleaning of the space. The cleaning agents must comply with the Environmental Protection Agency and Virginia Occupational Safety and Health standards. The County must provide supplies to employees who interact with other people on the job and clean work area where known or suspected cases have been prior to allowing others in the area. Shared tools and equipment must be cleaned and hand sanitizer must be available in offices and public areas. Additional requirements for medium risk employees include air handling systems appropriate to address COVID, barriers, pre-screening of employees for symptoms, providing face coverings, implement flexible work hours and work sites, deliver services remotely, increase physical distancing to six feet, and assess the job task for appropriate personal protective equipment. Additional requirements for high risk employees include, gloves, gown, face shields and masks, psychological and behavioral support, heightened precautions for treatment of known cases, and enhanced symptom monitoring. The County must have an infectious disease preparedness and response plan to address training, potential exposure sources at work, individual risk factors or underlying health conditions, engineering controls, administrative and work practice controls and PPE, a contingency plan for disrupted workdays, infection prevention measures, a procedure for identifying and isolating known cases, and how to deal with outside subcontractors, visitors, temporary employees and outside businesses. There must be written certification of training and all records on training must be maintained. In addition, retraining is required when changes are made to workplace or job tasks. Discrimination against an employee for exercising their rights under this standard is prohibited and employers can be penalized for willful, repeat and failure to abate violations as well as serious violations that cause a fatal accident or are classified as high gravity. Mr. Webb asked if the hand sanitizer has the standard 70% alcohol. Mr. Whitten stated that they are currently working on replacing all of the hand sanitizer in the building and all of the cleaning supplies are approved. Mr. Whitten added that the County has employed someone to clean the high traffic areas on a regular basis all day. Mr. Brown expressed a concern about the main entrance door and people touching it before they are tested. Mrs. Waymack stated that is why there is hand sanitizer as soon as you walk in. You cannot have someone there cleaning the door after every person touches it.

**CARES Funding** – Ms. Drewry stated that round one of CARES Funds were provided on June 1 and were amended to FY20 budget following a June 9 public hearing to do so. Federal law indicates that those funds can only be spent on necessary expenditures incurred due to COVID-19 or responding to COVID-19, including expenditures not accounted for in the adopted budgets, and expenditures that are incurred in between March 1 and December 30, 2020. This is one-time funding and should not be used for ongoing services and/or base operations. The money was allocated for a variety of purposes with the largest percentage going to community relief initiatives in the amount of over \$1.75 million with the largest component being small business grants. Other monies were designated to the local food bank, outreach of mobile home parks, and a pet food distribution effort. There was a \$552,646 allocation to the School Division to cover chrome books and extended summer lunches for students. Technology initiatives were estimated to be at about \$75,000. There was also a variety of cleaning and protective health measures and employee compensation and benefits. Spending for that to date is slow going. There have not been a number of small business grant applicants. To date, just a little over \$194,000 has been expended. The School System has expended a small amount for summer lunches and the chrome books are on order. The County has not received its quarterly unemployment invoice. Mr. Jeff Stoke, Deputy County Administrator, asked everyone to reach out and talk to small business owners and let them know about the grant program. To date, they have only received 43 applications and there are 1,347 active licenses in the County. Twenty grants have been approved totaling \$62,000. Three grants are pending totaling \$7,882. There are sixteen applications still under review. There are four ineligible businesses that have applied. The deadline is September 30. Ms. Drewry clarified for Mr. Webb that hand sanitizer was included in the PPE that was handed out to the mobile homes. She added that there was a request from the 4-H Center for a \$10,000 grant to help them meet their needs during the COVID-19 pandemic. The Board agreed that they would like to see the 4-H Center get that money as long as it can come from the CARES Funds. In addition, Ms. Drewry and Mr. Ashcraft talked about how the Crater District Health Department is creating a marketing campaign to share information about the coronavirus in the Crater Planning District. Prince George County's

contribution, based on its population, would calculate to \$25,000 to help create this marketing plan to provide public service announcements regarding COVID-19 for the Crater Planning District. The Board was agreeable to meet their needs. Ms. Drewry stated that recommendations will be made to the Board at a future work session to discuss round two for a mixture of costs incurred and anticipated costs / needs related to the COVID-19 pandemic and for citizen / business relief efforts. Later on this evening, Staff will be requesting an authority to advertise a public hearing for the Board's next regularly scheduled meeting to appropriate the second round of funds. Mr. Stoke clarified for Mr. Brown that it is a federal requirement that these small businesses must demonstrate economic impact loss.

**Issuance of DEQ Permit for Wastewater Treatment Plant** – Mr. Frank Haltom, County Engineer, stated that in October 2019, the County submitted an application to the Department of Environmental Quality (DEQ) for a Virginia Pollutant Discharge Elimination System (VPDES) permit to discharge treated wastewater into the Blackwater Swamp. The application requested an initial discharge volume of 2 MGD with consideration of future growth to allow volumes of 4 MGD and 6 MGD. On June 10, DEQ issued a Public Notice to receive public comments. The 30-day comment period ended on July 13. DEQ chose not to hold a public hearing to address citizen comments, but will respond directly to each individual or party that submitted comments. On August 3, DEQ issued the VPDES permit to the County. The permit sets the limits of known contaminants in treated wastewater that will discharge into the swamp. The permit also defines the monitoring and reporting requirements to demonstrate the treatment plant is operating within these limits. This permit specifically defines effluent limits for total suspended solids (TSS), biological oxygen demand (cBOD5), and total nitrogen (Ammonia-N). The permit gives the County assurance that the regulating agencies would approve the discharge of the treated wastewater into the Blackwater Swamp should the Board decide a treatment plant is the best option to address the current and future wastewater capacity needs of the County. Staff is requesting guidance on next steps, which could include a public meeting to allow staff to respond to citizens' questions and concerns, and/or authorizing a preliminary engineering report to begin conceptual design options and cost estimates for a wastewater treatment plant. As previously presented, other options include a new pipeline to the Hopewell treatment plant or improvements to the existing infrastructure to continue conveying wastewater to South Central Wastewater Authority. A preliminary engineering report for a new pipeline to Hopewell or a wastewater treatment plant could cost up to \$150,000. Chairman Hunter inquired about the costs of a new pipeline to the Hopewell treatment plant. Mr. Haltom stated that he could come back to the Board during a future worksession and layout a timeline and costs involved for the different phases of that project. Chairman Hunter and Mr. Carmichael both stated that they would be interested in hearing more about that. Mr. Webb stated that he is in favor of the County creating its own destiny and would be in favor of the preliminary engineering report. Mr. Brown agreed and stated that it really needs to be done before a public meeting so they can present the figures to the public. The Board agreed that they are not in favor of continuing to convey wastewater to South Central Wastewater Authority. Mr. Haltom stated that he could move forward with a preliminary engineering report on both a new pipeline to Hopewell and a wastewater treatment plant and schedule a public meeting once that report is complete.

## **TABLED ITEMS**

**T-1. Resolution; Adoption of the Prince George County Solar Energy Facility Siting Policy.** Ms. Julie Walton, Deputy County Administrator and Director of Community Development stated that purpose of the Solar Energy Facility Siting Policy Guidelines are to set guidelines to be used by applicants when selecting sites and developing plans, In addition, it is to be used by Staff, the Planning Commission, and the Board when evaluating requests. It also should be used to establish an upper limit on the total acreage of approved facilities in the County. The policy sets objectives and standards for all proposed solar development and leads to consistent uniform review of the projects. It addresses separation from adjoining properties and offers landscaping requirements. It protects natural resources and establishes a desired upper limit on total acreage of approved facilities in the County devoted to this type of use. It sets requirements for removal of facility and components at the end of life of the facility. It provides a guide for Staff review of proposed project and provides a standard for the Board's consideration when reviewing a project request through the Special Exception process and it provides for increased public notice for proposed solar facilities. This policy does not automatically allow or approve solar facilities. It does not change or modify the County's Ordinance provisions related to solar facilities and it does not restrict a property owner's right to apply for Special Exceptions. Ms. Walton talked about some policy revisions, including

increased setbacks, screening requirements, buffering requirements, addressing citizens' concerns expressed through public input, additional public meetings, increased direct mailing radius, added social media notices, revised construction hours, complaint procedures and added material restrictions. A policy decision needs to be made to establish an upper limit on the total acreage of approved facilities in the County. Staff is recommending to give the policy a test run by establishing an upper limit on the total acreage of approved facilities of 2.74%. This will include already approved projects and those that have already been proposed, if approved. Mr. Brown stated that the new policy should be posted along with the chart displaying citizen comments. Ms. Walton agreed. Mr. Webb inquired about how the policy is written regarding the decommissioning process. Expressing the concerns of a contractor, Mr. Webb stated that salvage value should be allowed to be considered when developing decommissioning estimates. Ms. Walton stated the County is not opposed to having flexibility in site specific decommissioning plans and can be looked at during each individual Special Exception request. The Board agreed on the 2.74% upper limit on the total acreage of approved facilities as a test run to see how it fits the County. This is not a guarantee that every facility that has already been proposed will be approved. They will be taken on a case by case basis. However, the Board did agree that it would not be appropriate to ask for proffers from those individuals that have already applied. In addition, the Board agreed on a 200 foot setback for residential agricultural. Mr. Webb made a motion, seconded by Mr. Brown, to approve the policy as amended. Roll was called on the motion.

R-20-108

**RESOLUTION; ADOPTION OF THE PRINCE GEORGE COUNTY SOLAR ENERGY FACILITY SITING POLICY**

WHEREAS, the Prince George County Solar Energy Facility Siting policy has been reviewed by the Planning Commission and staff and it has been determined that adopting this policy will guide the placement and design of new solar energy facilities in Prince George County; and,

WHEREAS, the Prince George County Solar Energy Facility Siting policy provides solar energy facility applicants, property owners, business owners and County residents with guidance on the official policies and standards of Prince George County;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, does hereby adopt the Prince George County Solar Facility Siting Policy as recommended.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**ORDER OF BUSINESS**

A-1. Resolution; Award of Contract and Appropriation from Debt Proceeds (\$212,645 Architectural and Engineering Services County Garage Expansion). Mr. Mike Purvis, General Services Director, stated that during the adoption of the FY2021 budget and CIP, the Board of Supervisors approved a Garage Expansion as a FY2021 capital project to be paid for with debt issuance in the spring of 2021. The main focuses of the expansion are to allow for the repair and maintenance of large apparatus within an enclosed garage bay, and to add office and storage space. RFP #20-0502-32 "A/E Services for Design of Garage Expansion" was issued on June 12 with a July 9 closing date. Nine (9) proposals were received and a staff panel ranked the proposals based on criteria established in the RFP, and interviewed the top 4 firms. Staff is recommending award of contract to Enteros Design, PC. Enteros provided a pricing proposal totaling \$212,645 that is recommended for approval. Funds for architectural services will be derived from a Spring 2021 borrowing as part of the CIP Garage Expansion project. Staff is requesting the board to authorize an authorization for the County Administrator to execute a contract with Enteros not to exceed \$212,645 and an appropriation of \$212,645 from future debt issuance. In addition, a reimbursement resolution allowing the County to reimburse itself for A/E services when debt is issued is required. Final designs will be shared with the Board and an Invitation for Bid issued for construction after design is complete. The requested action does not



include appropriation for construction costs. This CIP project will not create a tax increase and sufficient contributions to debt reserves were included in the adopted FY2021 budget. Mr. Webb stated that he realizes this project is long overdue, however his concern is there are no good numbers at this time as to where the County will be come December. Therefore, he is not comfortable doing anything at this time. He asked the Board to consider postponing this project for now. The Board agreed to take no action at this time.

**A-2. Resolution; Appropriation (\$400,000 Public Safety and County Vehicle Purchases).** Ms. Drewry stated that as part of the fiscal year 2021 adopted budget, the County included \$400,000 of debt issuance for the purchase of Law Enforcement and other County vehicles. Vehicle replacement purchases have been recommended at a rate of 10 vehicles per year annually, and have been limited to law enforcement vehicle purchases. This process has been utilized for the past five fiscal years (FY2016 – FY2020), and FY2021 will be the sixth year. This year’s recommended replacements include not only law enforcement vehicles, but some vehicles needed in other county departments. Eleven vehicle replacements are recommended for FY2021; seven for public safety (Police, Sheriff, Fire/EMS and Animal Services), three for Parks & Recreation and one for Community Development and Code Compliance. The Police Department has provided a preliminary list of which vehicles will be removed /sold as surplus, but it is subject to change if another vehicle is damaged or becomes non-operational prior to delivery of the new vehicles. 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 spring of 2021. Staff is requesting the board to authorize an appropriation of funds through bond issuance in the spring of 2021 (February / March 2021) and a reimbursement resolution for future debt issuance. It is important to note that order fulfillment typically takes approximately 3 months, under normal circumstances. We do not know how long the fulfillment of orders will take, as COVID-19 disrupted operations for many vehicle manufacturers, and some of the vehicles ordered in FY2020, have not yet arrived. Police vehicles (6) ordered from Sheehy Ford in October of 2019 have not been delivered yet. A vendor update provided on July 23, indicated that four of the six were on a train for delivery, and the other two were poised for production the first week of August. If orders are delayed until January 2021, they will likely not arrive during FY2021. This could present a hardship for the police department, in particular. Mr. Webb expressed the same concern of not know where the numbers are. Since they are so far behind in production and delivery anyway, he asked if they could just wait until the Spring to approve them. Ms. Drewry clarified for Mr. Carmichael that the delay is just in the Police vehicles, not the others being requested. Mr. Carmichael stated that whether there is a pandemic or not, these people are still working everyday and need the resources in which to do so. Ms. Drewry did confirm that they could just approve the other vehicles not functioning for now. Major Eric Young stated that unfortunately there is an order window for Police vehicles and they must get the order in by a certain date. If they wait until the Spring, there may be none left. Mr. Carmichael stated then they should move forward with the Police vehicles as well in light of that. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-20-109

A-2.

**RESOLUTION; APPROPRIATION (\$400,000 PUBLIC SAFETY & COUNTY VEHICLE PURCHASES)**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, does hereby authorize the following increase of funds within the 2020-2021 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 & Sheriff Vehicle Replacement \$232,000
0311-07-211-3205-48105	Parks & Recreation Vehicle Replacement \$91,000
0311-03-400-3205-48105	CDCC Vehicle Replacement \$32,000
0311-03-200-3205-48105	Fire & EMS Vehicle Replacement \$45,000

Revenue:

0311-40-900-8115-341401

Debt Proceeds

\$400,000

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

R-20-109A

A-2.

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 public safety and county vehicles of \$400,000;

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) Hunter, Webb, Brown, Carmichael, Waymack

Opposed: (0)

Absent: (0)

**A-4. Resolution; Re-Appropriation (\$2,734,039.08; Outstanding June 30, 2020 Encumbrances/Purchase Orders).** Ms. Drewry stated that with the recent transition of fiscal years (end of fiscal year 2019-2020 and the beginning of fiscal year 2020-2021), there are several open obligated purchase orders from the FY2019-20 budget that need to be re-appropriated from FY2019-20 to FY2020-21 to insure proper accounting and honor outstanding obligations. There are several encumbrances / purchase orders that were outstanding as of June 30, 2020. Open year-end purchase orders typically result from vendors performing project work over multiple months, projects that span two (or more) fiscal years, or lengthy delivery times for ordered items. Two school purchase orders are included in this year’s request. School Purchase Orders total \$47,039 and are contained within the School Operating Fund (0500). The School POs are re-appropriated as a General Fund Transfer (unexpended School Operating fund reverts to General Fund Balance at year-end). Staff is requesting that the Board approve a re-appropriation of Fund Balance to FY2020-21 for purchase order obligations outstanding at June 30, 2020. The total re-appropriation is \$2,734,039.08. The General Fund portion is \$26,568.34, with school purchase orders \$73,607.34. Mr. Webb made a motion, seconded by Mr. Carmichael, to approve the resolution as presented. Roll was called on the motion.

R-20-110

A-4.

**RESOLUTION; RE-APPROPRIATION (\$2,734,039.08 OUSTANDING JUNE 30, 2020 ENCUMBRANCES / PURCHASE ORDERS)**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, does hereby authorize the following increase of funds within the 2020-2021 Budget, such line items increased as follows, which monies to be expended in accordance with purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>		<u>AMOUNT</u>
<b>EXPENDITURES</b>		
0100-03-100-0601-00000-000-000-000-46010 -	GENERAL FUND - POLICE SUPPLIES	2,956.40
0100-03-200-0606-00000-000-000-000-46066 -	GENERAL FUND - CARSON FIRE DEPT TURNOUT GEAR	1,975.00
0100-03-200-0607-00000-000-000-000-48248 -	GENERAL FUND - BURROWSVILLE FIRE PROGRAM FUNDS	8,641.94
0100-03-200-0615-00000-000-000-000-46066 -	GENERAL FUND - SAFER RECRUIT GRANT TURNOUT GEAR	395.00
0100-07-211-0505-00000-000-000-000-45544 -	GENERAL FUND - PARKS & RECREATION SPEC ACTIVITIES	12,600.00
0211-03-100-0601-00000-000-000-000-46028 -	ASSET FORFEITURE - POLICE SUPPLIES	1,883.24
0213-08-301-2131-00000-000-000-000-45652 -	TOURISM FUND - BALL TOURNAMENTS	21,357.00
0217-03-300-2178-00000-000-000-000-48101 -	COMMUNITY CORRECTIONS - MACHINERY & EQUIPMENT	20,861.00
0217-03-300-2178-00000-000-000-000-48102 -	COMMUNITY CORRECTIONS - FURNITURE & FIXTURES	30,506.05
0220-04-104-2122-00000-000-000-000-43101 -	STORMWATER - BIRCH EST REACH 1 PHASE 1 PROF SVCS	2,451.00
0220-04-104-2125-00000-000-000-000-43101 -	STORMWATER - CEDAR CREEK REACH 5 PROF SVCS	1,715.00
0230-03-500-0612-00000-000-000-000-46004 -	CARES CRF FUND - MEDICAL SUPPLIES / PPE	39,495.00
0311-01-002-3182-00000-000-000-000-48204 -	CIP FUND - ASSESSOR SOFTWARE REPLACEMENT	34,975.00
0311-03-100-3103-00000-000-000-000-48105 -3103	CIP FUND - POLICE VEHICLES	244,138.30
0311-03-200-3104-00000-000-000-000-48121 -8211	CIP FUND - FIRE APPARATUS EQUIP CO 1 (PG)	71,962.00
0311-03-200-3104-00000-000-000-000-48121 -8213	CIP FUND - FIRE APPARATUS EQUIP CO 3 (CARSON)	90,332.00
0311-03-200-3104-00000-000-000-000-48121 -8214	CIP FUND - FIRE APPARATUS EQUIP CO 4 (BURROWSVILLE)	52,222.00
0311-03-200-3104-00000-000-000-000-48121 -8215	CIP FUND - FIRE APPARATUS EQUIP CO 5 (JEFFERSON PARK)	78,157.00
0311-03-400-3173-00000-000-000-000-48204 -	CIP FUND - CDCC SOFTWARE REPLACEMENT	20,542.57
0311-04-104-3179-00000-000-000-000-48405 -	CIP FUND - UTILITY ROUTE 156 WATER LINE EXTENSION	117,890.00
0311-04-104-3180-00000-000-000-000-48406 -	CIP FUND - UTILITY FOOD LION WATER SYSTEM UPGRADES	1,023,718.38
0311-07-211-3183-00000-000-000-000-48240 -	CIP FUND - SCOTT PARK RESTROOMS & CONCESSION STAND	168,302.00
0500-06-208-6010-66200-000-900-000-48130 -	SCHOOL OPER FUND - CAPITAL OUTLAY IMPRVMT TO SITES*	47,039.00
0610-04-104-7002-00000-000-000-000-43101 -	UTILITIES REPLACEMENT RESERVES - PROF SVCS	113,302.00
0620-04-104-7016-00000-000-000-000-48406 -	UTILITIES CAPITAL - WATER FACILITY IMPROVEMENTS	366,940.25
0620-04-104-7016-00000-000-000-000-48407 -	UTILITIES CAPITAL - SEWER PUMP STATION REHABS/REPL	137,546.45
0620-04-104-7016-00000-000-000-000-48408 -	UTILITIES CAPITAL - WATER TREATMENT PLANT ANALYSIS	22,135.50
	<b>TOTAL</b>	<b>2,734,039.08</b>
<b>REVENUES</b>		
0100-40-900-8208-00000-000-000-000-399999 -	GENERAL FUND, FUND BALANCE	73,607.34
0211-00-000-0000-00000-000-000-000-399999 -	ASSET FORFEITURE FUND, FUND BALANCE	1,883.24
0213-40-900-8208-00000-000-000-000-399999 -	TOURISM FUND, FUND BALANCE	21,357.00
0217-90-901-8207-00000-000-000-000-399999 -	COMMUNITY CORRECTIONS FUND, FUND BALANCE	51,367.05
0220-40-900-8208-00000-000-000-000-399999 -	STORMWATER FUND, FUND BALANCE	4,166.00
0230-40-900-8208-00000-000-000-000-399999 -	CARES CRF FUND, FUND BALANCE	39,495.00
0311-40-900-8208-00000-000-000-000-399999 -	CIP FUND, FUND BALANCE	1,902,239.25
0610-40-900-8208-00000-000-000-000-399999 -	UTILITY REPLACEMENT RESERVES FUND, FUND BALANCE	113,302.00
0620-40-900-8208-00000-000-000-000-399999 -	UTILITY CAPITAL FUND, FUND BALANCE	526,622.20
	<b>TOTAL</b>	<b>2,734,039.08</b>
	*SCHOOL FUNDS REVERT TO GENERAL FUND AT YEAR-END	

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-5. Resolution; Authority to Make Expenditures for Required E-9-1-1 System Upgrades and Seek Reimbursement from the Commonwealth of Virginia (\$32,569 for VESTA Phone Upgrade and Conduit Path Installation).** Ms. Drewry stated that the Commonwealth of Virginia (9-1-1 and Geospatial Services Bureau – Virginia Department of Emergency Management VDEM) is requiring all municipalities to modernize their E911 systems from outdated analog systems to digital IP-based systems. The County’s deadline for completing these NextGen911 upgrades is January of 2021. Chad Bosserman, Emergency Communications Center Manager, has secured pricing to complete the needed work, using state and county contract pricing. The expenditures are \$14,799 - Update of VESTA phones (9-1-1 phone system) Radio Communications of Virginia – State VITA Contract VA-170418-RCV; \$17,770 – Second conduit path to be placed from ECC to Courthouse Road – Lighting Maintenance Incorporated – Prince George County contracted electrical services provider IFB-20-0504-11. Staff is requesting approval to move forward with \$32,569 in expenditures which will be 100% reimbursed by the 9-1-1 and Geospatial Services Bureau (in conjunction with VDEM). Following the expenditure of funds, reimbursements will be sought from the 9-1-1 and Geospatial Services Bureau. When reimbursements are received, approval of appropriations will be provided to the board for consideration and approval. Mr. Brown made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

A-5.

**RESOLUTION; AUTHORITY TO MAKE EXPENDITURES FOR REQUIRED E-9-1-1 SYSTEM UPGRADES AND SEEK REIMBURSEMENT FROM THE COMMONWEALTH OF VIRGINIA (\$32,569 FOR VESTA PHONE UPGRADE AND CONDUIT PATH INSTALLATION)**

WHEREAS, the County is required to upgrade its E-9-1-1 system from an analog system to a digital IP-based system by January 2021 and the cost of these upgrades will be reimbursed through grants from the Commonwealth of Virginia; and

WHEREAS, Staff has sought and received quotes totaling \$32,569 using state and local contracts for:

- 1) Upgrade of the VESTA 9-1-1 system from Radio Communications of Virginia using State Contract VA-170418-RCV in the amount of \$14,799; and
- 2) Installation of a second conduit path from the ECC to Courthouse Road from Lighting Maintenance, Inc. using local contract awarded on November 12, 2019 by IFB-20-0504-11 in the amount of \$17,770.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, hereby approves the expenditure of \$32,569 for required NextGen911 upgrades to the E-9-1-1 system. Reimbursement of such expenditures will be sought from the Commonwealth of Virginia and appropriation approvals provided for board approval when reimbursements are received.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-6. Resolution; Authority to Advertise a Public Hearing for the Appropriation of \$3,346,151 in Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 Coronavirus Relief Funds to a New Special Revenue Fund (Budget Amendment).** Ms. Drewry stated that the Federal government issued \$3.1 billion in Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 Funding – Coronavirus Relief Funds to the Commonwealth of Virginia and another \$200 million to Fairfax County. Counties and cities received a July 28, 2020 memo from the Secretary of Finance indicating that the Commonwealth would distribute the second half (Round 2) these funds to localities based on population. Prince George County will receive a second distribution of CARES CRF funding of \$3,346,151 after signing a certification stating these funds would be used as directed and responding to an on-line survey regarding actual and anticipated uses of these funds. Board consensus was received to have the Board Chairman, County Administrator and Finance Director sign the certification, and the signed certification was submitted to the Department of Accounts by August 10, 2020. The funds may be used to cover costs that are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), funds that were not accounted for in the budget most recently approved as of March 27, 2020 (date of enactment of the CARES Act) for the State or government; and funds that were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. This should be one-time funding and should not be used for ongoing services and/or base operations. Staff will provide the board with an overview of recommended uses which will include funds to cover County costs already incurred, and projected costs that will be incurred in response to the COVID-19 pandemic, and for citizen and business relief initiatives at an upcoming board meeting. This budget amendment of \$3,346,151, if approved, will require a public hearing because the amount exceeds 1% of the adopted FY2021 budget (Adopted FY2021 budget = \$126,187,775; 1% = \$1,261,878). The public hearing date requested is September 8, 2020. The Code of Virginia §15.2-2507 requires a public hearing for budget amendments exceeding 1% of the adopted fiscal plan. Staff is requesting that the Board authorize advertisement of a public hearing for appropriation of these

federal CARES Coronavirus relief funds; resolution enclosed for review and consideration. The recommended public hearing date is September 8, 2020. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to authorize the advertisement of a public hearing. Roll was called on the motion.

R-20-112

A-6.

**RESOLUTION; AUTHORITY TO ADVERTISE A PUBLIC HEARING FOR THE APPROPRIATION OF \$3,346,151 IN CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT OF 2020 CORONAVIRUS RELIEF FUNDS TO A NEW SPECIAL REVENUE FUND (BUDGET AMENDMENT).**

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, does hereby authorize the advertisement of a September 8, 2020 public hearing for the appropriation of \$3,346,151 in Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Coronavirus Relief Funds.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-7. Resolution; Authorization to Execute Second Amendment to Verizon Tower Lease Agreement (Burrowsville).** Mr. Stoke stated that around 2016, Verizon inquired about an equipment replacement on the Burrowsville tower owned by the County. At that time, weight and wind loading maximums were of concern without knowing the path of the new P25 digital County radio system selection since the County would need both old and new radio systems on the tower during testing. Upon selection of a vendor and with Altairis approval of the new Verizon equipment, an analysis shows that a maximum load would reach 87% of capacity on the Burrowsville tower. The end date of the Verizon installation window on the Burrowsville tower for the new equipment would be December 1, 2020. This would align with the County P25 digital equipment installation. Mr. Carmichael made a motion, seconded by Mr. Brown, to authorize the County Administrator to execute the second amendment to the Verizon Tower lease agreement. Roll was called on the motion.

R-20-113

A-7.

**RESOLUTION; AUTHORIZATION TO EXECUTE SECOND AMENDMENT TO VERIZON TOWER LEASE AGREEMENT (BURROWSVILLE)**

WHEREAS, The second amendment to the original lease includes an equipment replacement on the County-owned Burrowsville cell tower to be completed by Verizon before December 1, 2020; and

WHEREAS, County staff and Verizon Wireless have come to terms on an amendment to the original lease agreement that is beneficial to both parties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Prince George this 11th day of August, 2020, that it does hereby approve the Second Amendment to Tower Lease Agreement between Prince George, Virginia and Cello Partnership, d/b/a Verizon Wireless; and

BE IT FURTHER RESOLVED by this Board that it authorizes the County Administrator to execute this agreement.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-8. Resolution; Authority to Advertise a Public Hearing for an Easement Between Prince George County and Mid-Atlantic Broadband Communities Corporation to Construct and Operate a Telecommunications Facility at 8200 Quality Drive.** Mr. Dan Whitten, County Attorney, stated that Mid-Atlantic Broadband Communities Corporation has requested the County convey an easement to them for certain real estate located at 8200 Quality Drive (Tax Map #340(03)00-001-F) for the construction and operation of a telecommunications facility. The facility provides services to multiple customers in the Southpoint Business Park. In 2009 the County granted a 50'x50' easement for this same purpose. The current facility will no longer accommodate their needs. Therefore, they are requesting an expansion of the easement doubling the size to construct a new facility adjacent to the current facility. A public hearing is required pursuant to Virginia Code Section 15.2-1800. A motion approving authority to advertise for a public hearing on September 8, 2020, is requested. Mr. Webb made a motion, seconded by Mr. Carmichael, to authorize the advertisement of a public hearing. Roll was called on the motion.

R-20-114

A-8.

RESOLUTION; AUTHORITY TO ADVERTISE A PUBLIC HEARING FOR AN EASEMENT BETWEEN PRINCE GEORGE COUNTY AND MID-ATLANTIC BROADBAND COMMUNITIES CORPORATION TO CONSTRUCT AND OPERATE A TELECOMMUNICATIONS FACILITY AT 8200 QUALITY DRIVE

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020, does hereby authorize the advertisement of a September 8, 2020 public hearing for an easement between Prince George County and Mid-Atlantic Broadband Communities Corporation to construct and operate a telecommunications facility at 8200 Quality Drive.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-9. Discussion of Holy Mackerel ABC License Application.** Mr. Dan Whitten stated that on July 23, 2020, Prince George County received notification from the VA ABC of the Holy Mackerel ABC license application. Per state code, local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application. The Prince George County Board of Supervisors may recommend to the VA ABC: 1) approval, 2) denial, 3) approval with conditions, or 4) take no action on the notice. The Prince George County Board of Supervisors may submit any comments before August 21, 2020 to the to the Virginia Alcoholic Beverage Control Authority. VA ABC has final authority on this matter. The Board took no action.

**A-10. Resolution; Authorization to Hold a Public Hearing on September 1, 2020 to Consider Adoption of an Ordinance to Amend The Code of the County of Prince George, Virginia, 2005, as Amended, to Revise the Location of a Polling Place Within the Courts Building Election District from Main Floor of Courts Building, 6601 Courts Drive to Gregory Memorial Presbyterian Church, 6300 Courthouse Road.** Mr. Stoke stated that there is a desire to relocate the polling location in the Prince George County Courthouse to the Gregory Memorial Presbyterian Church in precinct number 204. Per Code of Virginia 24.2-306, such a move must be approved 60 days prior to the general election. Staff is requesting Authority to Advertise the public hearing on the ordinance change and to set a special meeting of the Prince George County Board of Supervisors on Tuesday, September 1, 2020 for the public hearing and ordinance consideration. The advertisement must be posted per state code and, if approved, voters would have to be notified by mail in advance of the election. Mr. Carmichael made a motion, seconded by Mrs. Waymack to authorize the advertisement of a public hearing. Roll was called on the motion.

R-20-115

A-10.

RESOLUTION; AUTHORIZATION TO HOLD A PUBLIC HEARING ON SEPTEMBER 1, 2020 TO CONSIDER ADOPTION OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, TO REVISE THE LOCATION OF A POLLING PLACE WITHIN THE COURTS BUILDING ELECTION DISTRICT FROM MAIN FLOOR OF COURTS BUILDING, 6601 COURTS DRIVE TO GREGORY MEMORIAL PRESBYTERIAN CHURCH, 6300 COURTHOUSE ROAD

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11th day of August, 2020, does hereby authorize a Public Hearing on September 1, 2020 to consider adoption of an ordinance to amend The Code of the County of Prince George, Virginia, 2005, as amended, by amending sections to revise the location of a polling place within the Courts Building Election District from Main Floor of Courts Building, 6601 Courts Drive to Gregory Memorial Presbyterian Church, 6300 Courthouse Road.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-11. Consideration of Appointments – Board, Commissions, Committees, Authorities: Resolution of Appointment(s):**

**A. Resolution; Appointment of One Board Member and Three Citizen Appointments (CIP Committee).** Mr. Carmichael made a motion, seconded by Mr. Brown, to reappoint Mr. T.J. Webb, Mr. Darryl Cheek, Ms. Lillian Boyd, and Mr. Sterling Hunt. Roll was called on the motion.

R-20-116

A-11A.

RESOLUTION; RECOMMENDATION OF ONE BOARD MEMBER AND THREE CITIZEN APPOINTMENTS (CIP COMMITTEE)

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020 that it hereby appoints Mr. T. J. Webb to represent the Board of Supervisors on the CIP Committee; and

BE IT FURTHER RESOLVED, that the Board appoints Mr. Donald Vtipil, Mr. Andy Petik, and Mr. Larry Barnett to serve as a citizen representative on the CIP Committee for a one-year term effective immediately.

**B. Resolution; One Appointment; Social Services Advisory Board.** Mr. Brown made a motion, seconded by Mr. Carmichael to reappoint Ms. Kim Wilson.

R-20-117

A-11B.

RESOLUTION; ONE APPOINTMENTS; SOCIAL SERVICES ADVISORY BOARD

WHEREAS, Ms. Kim Wilson's term expires on August 13, 2020;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of August, 2020 does hereby reappoints Ms. Kim Wilson to the Social Services Advisory Board for a term beginning August 14, 2020 and ending on August 13, 2024.

On roll call the vote was:

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



Opposed: (0)

Absent: (0)

**ADJOURNMENT.** Mr. Carmichael moved, seconded by Mr. Webb, to adjourn to September 1, 2020 at 6:00 p.m. in the Boardroom for a work session. 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 10:31 p.m.

[Draft Minutes prepared August 25, 2020 for consideration on September 8, 2020; adopted by unanimous vote.]

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Donald R. Hunter  
Chairman, Board of Supervisors

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Percy C. Ashcraft  
County Administrator