

**AGENDA**

Board of Supervisors  
County of Prince George, Virginia  
Regular Meeting: May 10, 2022  
County Administration Bldg. Boardroom, Third Floor  
6602 Courts Drive, Prince George, Virginia

**Regular Meeting**

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

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

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

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**

One tap mobile

+19294362866,,5053851421#,,1#,200726# US (New York)

+13017158592,,5053851421#,,1#,200726# US (Germantown)

Dial by your location

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

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.princegeorgecountyva.gov/live\\_stream/index.php](https://www.princegeorgecountyva.gov/live_stream/index.php)

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 May 10 shall be entered into the meeting minutes.

**CALL TO ORDER**

Roll Call

**[ADDED] CLOSED SESSION**

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

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

**INVOCATION** – Dr. Jeraldine Posey, Abundant Life Church

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

**PUBLIC COMMENTS**

**ADOPTION OF AGENDA**

**ORDER OF CONSENSUS**

C-1. Draft Minutes – April 26, 2022 Regular Meeting.

**PRESENTATIONS**

**SUPERVISORS' COMMENTS**

**COUNTY ADMINISTRATOR'S COMMENTS**

**REPORTS**

**VDOT** – Crystal Smith

**POSTPONED ITEMS**

**ORDER OF BUSINESS**

- A-1. Resolution; Capital Improvement Fund Budget Amendment and Transfer from General Fund Contingency (\$2,000.00) Koolwood Lane Project. (Julie Walton, Deputy County Administrator, Community Development)
- A-2. Resolution; Acceptance of §33.2-705 – Koolwood Lane Addition into Virginia Department of Transportation/ Secondary System of Roads Maintenance. (Julie Walton, Deputy County Administrator, Community Development)
- A-3. Resolution; Modification to FY2022-2023 Position Control Chart for the County General Services Department with the Following Changes: Decrease 1 FT Building & Maintenance Mechanic, Increase 1 FT Maintenance Supervisor. (Corrie Hurt, Human Resources Director)
- A-4. Resolution; Authorize the Economic Development and Tourism Department and Parks and Recreation to Complete a Grant Application to Virginia Tourism Corporation for Tournament Expenses for the Top Gun-USA Sports Softball Northeastern Summer World Series and the Top Gun-USA Softball Northeastern Fall Nationals Tournaments. (Stacey English, Economic Development Director)
- A-5. Resolution; Appropriation Four for Life Funds – Fire and EMS (\$38,372.88). (Betsy Drewry, Deputy County Administrator, Finance)
- A-6. Resolution; Appropriation (\$10,346.01 Insurance Recoveries – Police Vehicle Repairs). (Betsy Drewry, Deputy County Administrator, Finance)
- A-7. Resolution; Renaming Bey Jones Lane to Jones Meadow Lane. (Dan Whitten, County Attorney)
- A-8. Emergency Ordinance Regarding the Waiver of Penalty and Interest for Personal Property Taxes, Real Estate Taxes, Stormwater Utility Fees and Public Services Taxes. (Dan Whitten, County Attorney)
- A-9. Resolution; Establishment of FY2023 Tax Levies for Real Property and Mobile Homes. (Betsy Drewry, Deputy County Administrator, Finance)
- A-10. Resolution; Authority to Advertise an Ordinance Amending Section 2-292.1 and Repealing Section 2-293 Relating to Duties of the County Administrator and Appointment of a Clerk. (Dan Whitten, County Attorney)

**PUBLIC HEARINGS**

- P-1. Public Hearing for Increase in Effective Real Estate Tax Rate. (Betsy Drewry, Deputy County Administrator, Finance).
- P-2. Public Hearing; Through Truck Restriction; Templeton Road (Route 638), Rowanty/Zion (Route 623), and Log Road/Railroad Bed (Route 637). (Crystal Smith, VDOT).
- P-3. Public Hearing; Ordinance to Allow for the Prince George Masonic Lodge to Take and Hold Land in the County Not Exceeding 10 Acres of Land at Any One Time. (Dan Whitten, County Attorney)
- P-4. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia”, 2005, as Amended, by Adding § 90-1042 to Provide Requirements for Battery Energy Storage Systems, and by Modifying § 90-443, § 90-493, § 90-543, § 90-53 and § 90-103 to Add Tier 2 Battery Energy Storage Systems as a Use Permitted by Special Exception in the M-1, M-2, M-3, A-1 And R-A Zoning Districts. (Julie Walton, Deputy County Administrator, Community Development)

**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

May 10, 2022

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

**MEETING CONVENED.** Chair Marlene J. Waymack called a regular meeting of the Board of Supervisors of the County of Prince George, Virginia, to order at 6:00 p.m. on May 10, 2022 in the Boardroom, County Administration Building, 6602 Courts Drive, and Prince George, Virginia.

**ATTENDANCE.** The following members responded to Roll Call:

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

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

**CLOSED SESSION**

**E-1. Resolution; Closed Session for (i) Section 2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of a specific public officer, appointee or employee of the public body; I further move that such discussion shall be limited to an employee of the Board of Supervisors.** Mr. Brown made a motion, seconded by Mr. Webb, that the Board convene closed session for (i) Section 2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of a specific public officer, appointee or employee of the public body; I further move that such discussion shall be limited to an employee of the Board of Supervisors.

R-22-087

E-1.

**RESOLUTION; CLOSED SESSION FOR (I) SECTION 2.2-3711.A.1 – DISCUSSION OR CONSIDERATION OF THE ASSIGNMENT, APPOINTMENT, PROMOTION, PERFORMANCE, DEMOTION, SALARIES, DISCIPLINING OR RESIGNATION OF A SPECIFIC PUBLIC OFFICER, APPOINTEE OR EMPLOYEE OF THE PUBLIC BODY; I FURTHER MOVE THAT SUCH DISCUSSION SHALL BE LIMITED TO AN EMPLOYEE OF THE BOARD OF SUPERVISORS**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of May, 2022, does hereby vote to enter closed session for (i) Section 2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of a specific public officer, appointee or employee of the public body; I further move that such discussion shall be limited to an employee of the Board of Supervisors.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**E-2. Resolution; Certification of Closed Session.** At 6:55 p.m., Mr. Hunter made a motion, seconded by Mr. Carmichael, that the Board adjourn the closed session and enter open session, certifying that to the best of each Board Members' knowledge (1) only public business lawfully exempted from open meeting requirements were discussed and (2) only matters identified in the convening motion were discussed. Chair Waymack 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 Chair asked that the roll be called on the motion.

R-22-087A

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 10<sup>th</sup> day of May, 2022 does hereby certify that, to the best of each Board Member's knowledge, (1) only public business lawfully exempted from open meeting requirements where discussed, and (2) only matters identified in the convening motion were discussed.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Chair Waymack called for a recess at 6:56 p.m. The meeting reconvened at 7:00 pm.

**Invocation.** Rev. Dr. Jeraldine Posey of Abundant Life Church gave the Board's invocation.

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

**PUBLIC COMMENTS.** Chair Waymack announced that anyone wishing to come before the Board may do so at this time. Mr. Brown asked the County Attorney to read the public comments policy in the Board of Supervisors By-Laws. Mr. Whitten stated that persons speaking before the Board would not be allowed to use profanity or vulgar language and would not be allowed to engage in person attacks. She noted that this was the time for unscheduled general public comments. Chair Waymack opened the public comments at 7:03 p.m.

Ms. Rhonda Hamlin (12000 Prince George Drive). Ms. Hamlin stated that her family moved to Prince George eight years ago to live a quiet, rural farm life. She stated Prince George fulfilled all of their needs, good schools, land where they could keep their horses, and too far away from a military base. They are starting to see a very familiar and predictable pattern as in the previous places they lived before. Prince George County was one of the top five fastest growing counties in Virginia and they have seen a major construction boom within a five-mile radius of their home, including subdivisions, gas stations, a 7-11 and fast food. Traffic is now a progressive reminder of Prince George's growth. She stated that Route 156 has become a thoroughfare for 18-wheeler trucks. She stated Prince George is becoming a victim of its own charms and successes. She stated that she is not against progress and development but it has to be done with an end goal in mind. She requested a traffic study, a speed study, lowering the speed limit and making Route 156 a no through truck restriction.

Larry Mitchell (16200 Arwood Road). Mr. Mitchell expressed his opposition to the FY23 budget.

William Steele (County Line Road, Disputanta). Mr. Steele agreed with Ms. Hamlin and stated that the growth in Prince George County is getting out of control.

There was no one else to speak and the public comments period was closed at 7:12 pm. The following comments were submitted on the website and requested to be placed in the minutes:

Larry Mitchell (16200 Arwood Road). Chairwoman and supervisors to include County Administrator, I would like to provide my disagreement concerning the FY2023 Budget planned for final stages. The 19.07% increase Revenues and Expenditures is outrageous. This demonstrates the disregard for the poor, combat veterans, pensioners, commoners, and seniors who are on fixed pensions that cannot work. We have to cut out expenditures in family budgets in order to pay taxes and fees. The 19 expenditures listed on the Introduced Annual Fiscal Plan for the Year Ending June 30, 2023 and sealed by the County Administrator, can be prioritized and reduced. There are three major factors affecting seniors, County, State, and Federal taxes. These three combos deplete seniors living survival on everyday sustainment. We have to make choices while the county does not. This is NOT the time to raise taxes after a pandemic, inflation, logistics problems, crime, people quit working, medical costs up, and food costs. The personal property tax will be a devastating challenge for many. We have sold a second vehicle and camper as taxes grow. We are cutting down in lawn maintenance as fuel and oils costs rise. We are cutting down on medications as co-pay are growing. Our travel has almost stopped as gas is over \$4.00 a gallon and insurance rose. We are making adjustments, as county is NOT. We have a supervisor who is absent often and unable to vote on budget items. Supervisors that say citizens do not sit in their shoes and does not understand county business. The commoners of this county are NOT holding PhD's or certified in large-scale budgets and behind scene conversations. But, all citizens are directly affected to the outcome of the budget. By law, we can speak. I would like to know the advice the Senior Task Force Advisory staff has given the Board of Supervisors? Surely, it is NOT the budget. The Mission Statement on the PG website provides comment of the county budget. I hope the supervisors will reconsider the budget and seek spending therapy.

Dave Jung (11010 Lawyers Road). So, they put asphalt and loose gravel down on Lawyers Rd (which is a band-aid fix) and throws gravel and tar all up under the chassis... so helpful. Meanwhile, they left the major potholes. That is a poor out at fixing infrastructure. I guess we do not rate the upgrades the rest of the county gets.

**APPROVAL OF AGENDA.** Mr. Brown requested that Item A-7 be removed and made a motion, seconded by Mr. Hunter, to adopt the agenda as amended. 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. Carmichael 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 – April 26, 2022 Regular Meeting.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

## **PRESENTATIONS**

### **SUPERVISORS' COMMENTS**

Chair Waymack thanked everyone for coming this evening and wished all of the mothers a Happy Mother's Day.

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

Mr. Jeff Stoke, County Administrator, stated that the Prince George County Strategic Plan session will be on May 14 beginning at 8am at the Central Wellness Center. Due to the lack of a state budget, staff is recommending a 6pm budget work session on May 24 followed by consideration to approve the FY23 County budget and adjusting state numbers once received. May 24 will be the last Zoom meeting for the County Board of Supervisors. The public may watch on Swagit (video) through the website and participate either in-person or by online form.

**REPORTS**

**VDOT** - Ms. Crystal Smith of the Virginia Department of Transportation stated that their crews are continuing the patching, ditching, and tree trimming. Mowing and trash pick-up will begin around mid-June. The outfall ditch on Arwood is expected to start in the next couple of weeks. That is the accounts receivable project that they entered into an agreement on. The FDR on Arwood has been delayed. She talked to the District Contract Manager today and was told they have two emergency projects that are taking priority. So, now they are looking at July. They are also looking to schedule some extension of the right turn lane at the intersection of Routes 106, 606 and Sandy Ridge. While still in the early stages, she feels confident that there will not be any issues with it. Mr. Brown stated that they need an amenable solution to the deep curved on Arwood Road. Ms. Smith stated that she would get with him for an address so that they can start checking on that right away.

**ORDER OF BUSINESS**

**A-1. Resolution; Capital Improvement Fund Budget Amendment and Transfer from General Fund Contingency (\$2,000.00) Koolwood Lane Project.** Ms. Julie Walton, Deputy County Administrator, Community Development, stated that in 2021, the County entered into an agreement with VDOT to complete the construction items and final paving of Koolwood Lane necessary for acceptance by VDOT into the state-maintained secondary road system. Bond proceeds from the original developer in the amount of \$45,074.14 and \$3,561.62 from General Fund Contingency were appropriated to complete the project. The construction items have been completed and VDOT is prepared to accept the roadway into the State’s system of maintained secondary roads. There are administrative account fees and inspection fees due for the acceptance process that were not part of the construction budget. The fees are \$1,100.00 and \$900.00 as detailed on the attached invoice from VDOT. Once the project has been closed out by VDOT, any remaining funds from the original construction account will be returned to the County’s General Fund. It is anticipated that there will be a return of some funds, but final amounts are not confirmed at this time. Mr. Hunter made a motion, seconded by Mr. Brown, to approve the resolution transferring \$2,000.00 from General Fund Contingency to the Capital Improvement Fund for Koolwood Lane acceptance process with VDOT. Roll was called on the motion.

R-22-088

A-1.

**RESOLUTION; CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT AND TRANSFER FROM GENERAL FUND CONTINGENCY (\$2,000.00) KOOLWOOD LANE PROJECT**

WHEREAS, The Prince George County Board of Supervisors determined that it was in the best interest of the County of Prince George and its citizens to complete construction of Koolwood Lane for acceptance by VDOT; and,

WHEREAS, The County received Bond Proceeds in the amount of \$45,000 from the original developer of Koolwood Lane, and the balance with accrued interest was \$45,074.14; and,

WHEREAS, The County appropriated the bond proceeds (\$45,074.14) and a transfer from General Fund Contingency of \$3,561.62 to the Capital Improvement Fund for the associated cost for the Scope of Work as detailed by VDOT at \$48,635.76; and

WHEREAS, The Scope of Work has been completed and the Koolwood Lane Acceptance process into VDOT’s Maintained Systems of State Highways requires administration and inspection fees to be paid in the amount of \$2,000.00; therefore,

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of May, 2022, does hereby authorize the following increase of funds within the 2021-2022 Budget, such line items increased as follows, which monies shall be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

**FUND/ORGANIZATION**

**AMOUNT**

Capital Improvement Project Fund 0311

Revenue:

0311-90-901-8207-391000 CIP – Transfer from General Fund \$2,000.00

Expenditure:

0311-08-301-3213-48130 CIP Koolwood Lane Project \$2,000.00

General Fund 0100

Expenditures:

0100-09-401-0917-49199 General Fund Contingency (\$2,000.00)

0100-09-401-0917-49172 General Fund Transfer to CIP Fund \$2,000.00

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-2. Resolution; Acceptance of §33.2-705 – Koolwood Lane Addition into Virginia Department of Transportation/ Secondary System of Roads Maintenance.** Ms. Walton presented to the Board a draft resolution accepting Koolwood lane into the VDOT Secondary System of roads maintenance.mr. Carmichael made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-22-089

A-2.

RESOLUTION; ACCEPTANCE OF §33.2-705 – KOOLWOOD LANE ADDITION INTO VIRGINIA DEPARTMENT OF TRANSPORTATION/ SECONDARY SYSTEM OF ROADS MAINTENANCE

WHEREAS, the Koolwood Subdivision has been completed, and

WHEREAS, the streets of Koolwood 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.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-3. Resolution; Modification to FY2022-2023 Position Control Chart for the County General Services Department with the Following Changes: Decrease 1 FT Building & Maintenance Mechanic, Increase 1 FT Maintenance Supervisor.** Ms. Corrie Hurt, Human Resources Director, stated that Staff is requesting for consideration, a decrease in 1 FTE; Building & Grounds Maintenance Mechanic position to fund a Maintenance Supervisor. The current Building & Grounds Maintenance Mechanic position will be vacant after June 30 due to



a retirement. This change requires a modification to the County's Position Control Chart. The purpose for the change is to have a supervisor to oversee the day-to-day operations and to be a "working" supervisor. This position will assist the Director with oversight in contracted services and planned construction projects. The Building & Grounds Maintenance Mechanic is currently a grade 313 and the Maintenance Supervisor will be grade 318 (non-exempt). This change will not take effect until FY2022-2023 (July 1, 2022), but staff would like to advertise this position to fill immediately after approval. Mr. Hunter made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-22-090

A-3.

RESOLUTION; MODIFICATION TO FY2022-2023 POSITION CONTROL CHART for the County General Services Department with the following changes:

- Decrease 1 FT Building & Maintenance Mechanic, Increase 1 FT Maintenance Supervisor

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of May, 2022 hereby approves the requested changes to the FY2022-2023 Position Chart and that no changes be made to the chart without Board approval regardless of what other County polices may state.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-4. Resolution; Authorize the Economic Development and Tourism Department and Parks and Recreation to Complete a Grant Application to Virginia Tourism Corporation for Tournament Expenses for the Top Gun-USA Sports Softball Northeastern Summer World Series and the Top Gun-USA Softball Northeastern Fall Nationals Tournaments.**

Ms. Stacey English, Economic Development Director, stated that the Economic Development and Tourism Department and Parks and Recreation are seeking authorization to apply for a Virginia Tourism Sports Marketing Incentive Grant. Virginia Tourism is offering these funds to be used for event incentives and marketing promotions targeted specifically at attracting new sports tournaments and competitions to spur economic activity and travel across the Commonwealth. The Sports Tourism team has successfully attracted two regional Top Gun tournaments to the County, the Top Gun-USA Sports Softball Northeastern Summer World Series on August 5-7, 2022, and the Top Gun-USA Softball Northeastern Fall Nationals on October 8-9, 2022. These two tournaments will bring teams from across the east coast to Prince George County. This grant program does not require a match from the locality. The application is due May 31, 2022. Estimated grant for Top Gun-USA Sports Softball Northeastern Summer World Series - \$10,000. Estimated grant for Top Gun-USA Softball Northeastern Fall Nationals - \$20,000. The grant funding would cover fees for officials for the contracted event, officials' travel and housing for the event, site/venue rental usage fees, Rights/Sanctions/Bid Fees for the event, Wi-Fi/Internet Fees, and a complimentary meal for event officials. Mr. Carmichael made a motion, seconded by Mr. Brown, to authorize the Sports Tourism team to submit two applications for the Virginia Tourism Sports Marketing Incentive Grant for a total of \$30,000 in grant funding.

R-22-091

A-4.

RESOLUTION; AUTHORIZE THE ECONOMIC DEVELOPMENT AND TOURISM DEPARTMENT AND PARKS AND RECREATION TO COMPLETE A GRANT APPLICATION TO VIRGINIA TOURISM CORPORATION FOR TOURNAMENT EXPENSES FOR THE TOP GUN-USA SPORTS SOFTBALL NORTHEASTERN SUMMER WORLD SERIES AND THE TOP GUN-USA SOFTBALL NORTHEASTERN FALL NATIONALS TOURNAMENTS.

WHEREAS, the Economic Development Department and Parks and Recreation are requesting the support of the Prince George County Board of Supervisors to apply for two grants totaling \$30,000 through Virginia Tourism Corporation, due for submission by May 31, 2022; and

WHEREAS, the Sports Tourism team will apply for two grants, one for the Top Gun-USA Sports Softball Northeastern Summer World Series requesting \$10,000 in grant funding and one for the Top Gun-USA Softball Northeast Fall Nationals requesting \$20,000 in grant funding.

WHEREAS, the grant requires no match.

BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of May, 2022, does hereby authorize the submission of two grant applications totaling \$30,000 to cover tournament expenses for the 2022 Top Gun-USA Sports Softball Northeast Summer World Series and the Top Gun-USA Softball Northeastern Fall Nationals.

BE IT FURTHER RESOLVED, That a copy of this Resolution shall be retained as support authorizing the grant application to Virginia Tourism Corporation.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-5. Resolution; Appropriation Four for Life Funds – Fire and EMS (\$38,372.88).** Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that Prince George County has received an award notice of *Four for Life funds* in the amount of \$38,372.88 that have not yet been appropriated to the FY2022 budget (expected prior to June 30, 2022). Four for Life funds are derived from an additional \$4.25 vehicle registration fee per year that is collected by DMV for each automobile and pick-up or panel truck. These collections are set aside as a special fund to be used for EMS purposes. This allocation represents 26% of collections that are returned to Prince George County based on the vehicles registered in Prince George County. The funds can be used for training of emergency medical services personnel and for equipment and supplies for medical service agencies. Mr. Brown made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-22-092

A-5.

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of May, 2022, does hereby authorize and appropriate the following increase of funds within the 2021-2022 Budget, such line items increased as follows, which monies shall 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>
<b>General Fund</b>		
<b>Expenditures:</b>		
0100-03-200-0614-45642	Fire/EMS Four for Life Expenditures	\$38,372.88
<b>Revenues:</b>		
0100-20-601-8203-326014	Four for Life Funds	\$38,372.88

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-6. Resolution; Appropriation (\$10,346.01 Insurance Recoveries – Police Vehicle Repairs).** Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that the County received insurance proceeds from VACORP for damages related to a 2018 Ford Explorer Interceptor (Police Department; VIN 7993). The vehicle was damaged on April 2, 2022 when the

Police vehicle was struck by another vehicle while parked at 503 Battery Place, Colonial Heights, VA. The vehicle sustained damage to the rear driver’s side fender and tire. The estimated repairs for the vehicle were \$10,846.01, and the amount received is \$10,346.01 (repair estimate, less \$500 deductible). Mr. Hunter made a motion, seconded by Mr. Webb, to approve the appropriation in the amount of \$10,346.01 as presented. Roll was called on the motion.

R-22-093

A-6.

**RESOLUTION; APPROPRIATION (\$10,346.01 INSURANCE RECOVERIES – POLICE VEHICLE REPAIRS)**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of May, 2022, does hereby authorize the following increase of funds within the 2021-2022 Budget, such line items increased as follows, which monies shall be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
0100-03-100-0601-44200	General Fund: Police
	Motor Vehicle Pool
	\$10,346.01
VIN 1079	
 <u>Revenue:</u>	
0100-40-507-8206-341111	General Fund; Insurance Proceeds
	\$10,346.01

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**PUBLIC HEARINGS**

**P-1. Public Hearing for Increase in Effective Real Estate Tax Rate. (Betsy Drewry, Deputy County Administrator, Finance).** Ms. Drewry stated that on March 29, the Board of Supervisors approved the advertisement of an effective real estate tax increase due to increase in assessed values. The advertisement was run in the *Progress Index* in the April 4, 2022 edition as required. The County Administrator presented the introduced Fiscal Year 2022-2023 budget at the March 22, 2022 board meeting and recommended reductions in both the Real Property Tax Rate and Personal Property tax rate. Additionally, a recommendation was made to eliminate the Motor Vehicle License Fee (decal fee). The Board received updated, higher real property assessed values at a budget work session on March 29. The Board acted to advertise tax rates lower than those included in the introduced budget. The assessed values (excluding new construction and improvements) have grown by more than 1%. Estimated FY2023 assessed values, net of new construction and improvements, have grown by 14.3% over FY2022 values. The equalization rate is 75¢ (an 11¢ reduction from the current 86¢ rate). The advertised Real Estate tax rate is 82¢, which is 4¢ lower than the current 86¢ rate. The advertised rate of 82¢ represents a 9.3% increase over the equalization rate of 75¢. If the assessed value increases by more than 1% (excluding new construction and improvements), §58.1-3321 Code of Virginia, the County must reduce tax rate so that revenues <= 101% of prior year levies or the County may increase tax rate after advertising and holding public hearing with notice of the “effective tax rate increase.” There has been no recommendation to lower the tax rate to \$.75 and the advertised real estate tax rate was \$.82. The real estate tax rate does affect public services taxes and mobile home taxes. It lowered, each penny equates to \$348,000, which is shared with the School System. Each penny of public service tax is just under \$28,000 and each penny of mobile home is \$1,852.00. So, the total impact of one cent is \$377,759. The County’s share of that is just under \$238,000 and the School’s share is just under \$140,000. If the County were to equalize, we would be reducing the budget by \$2.6 million causing the share to be \$570,929 and the School share to just be \$230,978. No Board action is requested immediately following the public hearing. A separate action item is included in the Order of Business section of tonight’s meeting, requesting the adoption of the Real Estate and Mobile Home tax rates. A public hearing on all tax rates was heard on April 26, 2022, and only the Personal Property and

Machinery and Tools tax rates were adopted. Action was delayed on the Real Estate and Mobile Home tax rates until May 10 (tonight). Chair Waymack opened the public hearing at 7:37.

Leyla Myers (8711 Second Court). Ms. Myers stated that the Board is increasing the tax rate 9.13% and the Assessor's Department has increased the assessments by 10, 15, or 20%. That multiplies to 150% tax increase liability for every household. She stated that she did not get a raise. She said that she has been told to be happy to even have a job for the last two years. She stated that the elimination of the vehicle registration fee pales in comparison to what they are doing. This is a tax burden of great proportions.

William Steele (County Line Road). Mr. Steele stated that he strongly opposes this drastic increase in the effective tax rate from \$.75 to \$.82 that this Board is proposing for FY23. This will be smacking taxpayers with the highest tax bill since 2019. The best action is to reach the realization rate of \$.75 and cut spending and the unwarranted expansion in this County's government. By this horrific increase in this tax rate, the Board has taken great measures to be sure that the County employees are well taken care of while yet again, failing miserably to taking any action to help the hard-working property owning taxpayers who are struggling to make ends meet, especially during these economic times that we all face. By this Board raising this tax rate, you once again as a Board has confirmed yourself to be a tax and spend Board who does not care about the difficulties we taxpayers will be facing as we attempt to pay this higher real estate tax. By this Board taking this action against the taxpayers that voted you in, you have yet again as you have done every year since FY18, that you only care about taking as much as you can from the struggling taxpayer so you can move forward with your excessive spending sprees that do little to directly support the hardworking property owner tax paying public of Prince George County. Since you knowingly and willingly choose to increase our taxes, he has no confidence that you as a Board have any concern for the taxpaying property owners of this County. Since you will be remembered as the Board that has smacked the taxpayer with the highest tax rate yet, I hope you will thank the taxpayers who have to make a tough decision on what to give up for their families so that they can fork over the money to pay for your spending spree.

Larry Mitchell (16200 Arwood Road). Mr. Mitchell stated that the real estate assessments are increasing and the residents do not have much say in it. We are in an unstable economic situation and if the market crashes like it did back in 2008, how will it affect these high rates? Will they be adjusted?

There being no one else to speak, Chair Waymack closed the public hearing at 7:52 pm.

**P-2. Public Hearing; Through Truck Restriction; Templeton Road (Route 638), Rowanty/Zion (Route 623), and Log Road/Railroad Bed (Route 637). (Crystal Smith, VDOT).** Ms. Crystal Smith of the Virginia Department of Transportation stated that there will be public hearing this evening for a no through truck restriction for a total of five routes, Templeton Road, Rowanty/Zion, Log Road/Railroad Bed, Lampe Lane, and Lansing Rd/Templeton Road. Templeton Road is proposed to be restricted from Route 602 to Route 631. The alternate route would be Templeton to Route 35 to I-95. In Sussex, it will be Route 602 to I-95. The restriction on Rowanty/Zion would be from Cabin Point in Sussex to I-95 in Prince George. The alternate route would be Cabin Point in Sussex to I-95 in Sussex and Rowanty to I-95 in Prince George. Log Road/Railroad Bed would be restricted from Cabin Point to Courtland Road and the alternate would be Courtland Road to I-95 in Prince George and Cabin Point to I-95 in Sussex. The restriction on Lampe Road would be Route 631 to Route 301 (South Crater Road). The alternate route would be Route 631 to Rowanty to Route 301. Templeton would be restricted from Route 631 (Lansing Road) to Cabin Point. The alternate route be Route 638 to Courtland Road to I-95 in Prince George and Cabin Point to I-95 in Sussex. Lansing/Zio would be restricted from Courtland Road to Route 604 (Halifax). Trucks would use Courtland Road to I-95 and Halifax to Route 623 (Rowanty) to I-95. Each restriction requires its own public hearing and resolution. Chair Waymack opened the public hearing at 7:52 pm. for Templeton Road (Route 638).

Ginger Terrell (19580 Templeton Road). Ms. Terrell stated that she is in favor of this restriction. She has encountered tractor-trailers traveling down their road daily and running others off the road. The road is an average of 20 feet or less. There are sharp curves and blind spots. She stated that her family and school buses travel this road daily and it is just a matter of time before someone gets hurt or worse.

Larry Mitchell (16200 Arwood Road). Mr. Mitchell is in favor of the restriction. He asked if the County Police will be in charge of enforcing this restriction.

Rhonda Hamlin (12000 Prince George Drive). Ms. Hamlin stated that she is fully in favor of truck restrictions. However, she is concerned that it will cause the trucks to find another route. Are we going to be reactive or more proactive about it?

There was no one else to speak and the public hearing was closed at 7:57 p.m. Mr. Brown stated that this has been a problem on Templeton for a very long time for truckers to bypass the scales on I-95. It has been a process while working with Sussex County as well and he appreciates the patience of the citizens. Mr. Brown made a motion, seconded by Mr. Carmichael to approve the resolution as presented. Roll was called on the motion.

R-22-094

P-2.

RESOLUTION  
THROUGH TRUCK RESTRICTION – TEMPLETON ROAD (ROUTE 638)

Whereas, large truck traffic is a concern for citizen traveling on Templeton Road (Route 638) from Lansing Road (Route 631) Prince George County to Cabin Point Road (Route 602) Sussex County; and

Whereas, Templeton Road is a narrow two lane, unmarked, rural route with narrow shoulders, winding and sweeping curves; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public; and

Whereas, a more suitable alternate route exists from Templeton Road (Route 638) to Courtland Road (Route 35) to I-95 in Prince George County and from Cabin Point Road (Route 602) to I-95 in Sussex County; and

Whereas, Prince George County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

Whereas, initial support has been received from Sussex County; and

Whereas, the Sussex County Board of Supervisors will too open this to public comment at their May Board of Supervisors meeting; and

Whereas, should, after hearing all comments, the Sussex County Board determines they no longer support this restriction, this Board will, by resolution, rescind this request as void due to the necessity of the alternate route within the limits of Sussex County;

NOW THEREFORE BE IT RESOLVED, that the Prince George Board of Supervisors requests the Virginia Department of Transportation to implement a through truck restriction on Templeton Road (Route 638) between Lansing Road (Route 631) Prince George County and Cabin Point Road (Route 602) Sussex County.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Chair Waymack opened the public hearing for Rowanty/Zion (Route 623) at 7:59 p.m.

Larry Mitchell (16200 Arwood Road). Mr. Mitchell is in favor of the restriction. Avoid the scales on I-95 is a safety hazard.

There being no one else to speak, Chair Waymack closed the public hearing at 8:00 p.m. Mr. Brown made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-22-095

P-2.

RESOLUTION  
THROUGH TRUCK RESTRICTION – ROWANTY/ZION (ROUTE 623)

Whereas, large truck traffic is a concern for citizen traveling on Rowanty Road (Route 623) in Prince George and Zion Road (Route 623) in Sussex County; and

Whereas, Rowanty Road/ Zion Road (Route 623) in Prince George and Sussex County; is a narrow two lane road, with narrow shoulders, winding and sweeping curves; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public; and

Whereas, a more suitable alternate route exists from Rowanty Road (Route 623) to I-95 in Prince George County and Cabin Point Road (Route 602) to I-95 in Sussex County; and

Whereas, Prince George County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

Whereas, support has been received from Sussex County; and

Whereas, the Sussex County Board of Supervisors will too open this to public comment at their May Board of Supervisors meeting; and

Whereas, should, after hearing all comments, the Sussex County Board determines they no longer support this restriction, this Board will, by resolution, rescind this request as void due to the necessity of the alternate route within the limits of Sussex County;

NOW THEREFORE BE IT RESOLVED, that the Prince George Board of Supervisors requests the Virginia Department of Transportation to implement a through truck restriction on Rowanty Road (Route 623) in Prince George and Zion Road (Route 623) in Sussex County between I-95 in Prince George and Cabin Point Road (Rout 602) in Sussex.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Chair Waymack opened the public hearing for Log Road/Railroad Bed (Route 637) at 8:01 p.m.

Larry Mitchell (16200 Arwood Road). Mr. Mitchell is in favor of the restriction.

There was no one else to speak and the public hearing was closed at 8:02 p.m. Mr. Hunter made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-22-096

P-2.

RESOLUTION  
THROUGH TRUCK RESTRICTION – LOG ROAD/RAILROAD BED (ROUTE 637)

Whereas, large truck traffic is a concern for citizen traveling on Log Road (Route 637) in Prince George Counties and Railroad Bed Road (Route 637) in Sussex; and

Whereas, Log Road/Railroad Bed (Route 637) in Prince George and Sussex County; is a narrow, unmarked, two lane road, with narrow shoulders; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public; and

Whereas, a more suitable alternate route exists from Courtland Road (Route 35) to I-95 in Prince George County and Cabin Point Road (Route 602) to I-95 in Sussex County; and

Whereas, Prince George County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

Whereas, support has been received from Sussex County; and

Whereas, the Sussex County Board of Supervisors, will too open this to public comment at their May Board of Supervisors meeting; and

Whereas, should, after hearing all comments, the Sussex County Board determine they no longer support this restriction, this Board will, by resolution, rescind this request as void due to the necessity of the alternate route within the limits of Sussex County;

NOW THEREFORE BE IT RESOLVED, that the Prince George Board of Supervisors requests the Virginia Department of Transportation to implement a through truck restriction on Log Road (Route 637) in Prince George Counties and Railroad Bed Road (Route 637) in Sussex between Courtland Road (Route 35) in Prince George and Cabin Point Road (Route 602) in Sussex County.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Chair Waymack opened the public hearing for Lampe Lane (Route 675) at 8:03 p.m. There was no one to speak and the public hearing was closed. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-22-097

P-2.

RESOLUTION  
THROUGH TRUCK RESTRICTION – LAMPE ROAD (ROUTE 675)

Whereas, large truck traffic is a concern for citizen traveling on Lampe Road (Route 675); and

Whereas, Lampe Road is a short, narrow, unmarked, two lane road, with narrow shoulders, and a sharp curve; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public; and

Whereas, a more suitable alternate route exists from Lansing Road (Route 631) to Halifax Road (Route 604) to Rowanty Road (Route 623) to S. Crater Road Route 301; and

Whereas, Prince George County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

NOW THEREFORE BE IT RESOLVED, that the Prince George Board of Supervisors requests the Virginia Department of Transportation to implement a through truck restriction on Lampe Road (Route 675) between Lansing Road (Route 631) and S. Crater Road (Route 301).

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Chair Waymack opened the public hearing for Lansing Road (Route 631) at 8:04 p.m. There was no one to speak and the public hearing was closed. Mr. Brown made a motion, seconded by Mr. Carmichael, to approve the resolution as presented. Mr. Smith made it clear to the Board that Sussex will vote on the 24<sup>th</sup>. If they choose not to pass the resolution on Rowanty, Templeton, and Railroad Bed, it will negate the portions in Prince George. VDOT also has to hold a public hearing and issue a willingness. We are looking at another four to six months. Roll was called on the motion.

R-22-098

P-2.

RESOLUTION  
THROUGH TRUCK RESTRICTION – LANSING ROAD (ROUTE 631)/TEMPLETON  
ROAD (ROUTE 638)

Whereas, large truck traffic is a concern for citizen traveling on Lansing Road (Route 631) / Templeton Road (Route 638); and

Whereas, Lansing Road is a narrow unmarked two lane road, with narrow shoulders; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public; and

Whereas, a more suitable alternate route exists from Courtland Road (Route 35) to I-95 and from Halifax Road (Route 604) to Rowanty Road (Route 623) to S. Crater Road (Route 301); and

Whereas, Prince George County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

NOW THEREFORE BE IT RESOLVED, that the Prince George Board of Supervisors requests the Virginia Department of Transportation to implement a through truck restriction on Lansing Road (Route 631) / Templeton Road (Route 638) between Courtland Road (Route 35) and Halifax Road (Route 604).

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**P-3. Public Hearing; Ordinance to Allow for the Prince George Masonic Lodge to Take and Hold Land in the County Not Exceeding 10 Acres of Land at Any One Time.** Mr. Dan Whitten, County Attorney, stated that pursuant to Section 57-20 of the Code of Virginia (attached), the trustee for the use of any benevolent or other association shall not take or hold land exceeding five acres at any one time. The local governing body of any county may by ordinance authorize such trustee to take and hold in such county land not exceeding 10 acres at any one time. The Prince George Masonic Lodge is a benevolent association and has expressed an interest through their trustee to take and hold land not exceeding 10 acres. Mr. Cecil Smith of the Masonic Lodge stated that this is a very advantageous offer for them and they are in favor of this ordinance. Chair Waymack opened the public hearing at 8:09 p.m.

Mr. Larry Mitchell (16200 Arwood Road). Mr. Mitchell stated that he is in favor of this ordinance.

There was no one else to speak and the public hearing was closed at 8:11 p.m. Mr. Brown made a motion, seconded by Mr. Webb, to approve an ordinance to allow Prince George Masonic



Lodge to take and hold land in the County not exceeding 10 acres of land at any one time. Roll was called on the motion.

O-22-12

P-3.

ORDINANCE TO ALLOW FOR THE PRINCE GEORGE MASONIC LODGE TO TAKE  
AND HOLD LAND IN THE COUNTY NOT EXCEEDING 10 ACRES OF LAND AT ANY  
ONE TIME

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

- (1) In accordance with Virginia Code § 57-20, the Board of Supervisors authorizes the trustee or trustees of the Prince George Masonic Lodge to take and hold land in the county not exceeding 10 acres of land at any one time.
- (2) That this ordinance shall be effective immediately upon adoption.

---

Adopted on May 10, 2022 and becoming effective immediately.

On roll call the vote was:

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

Opposed: (0)

Abstained: (1) Hunter

**P-4. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia”, 2005, as Amended, by Adding § 90-1042 to Provide Requirements for Battery Energy Storage Systems, and by Modifying § 90-443, § 90-493, § 90-543, § 90-53 and § 90-103 to Add Tier 2 Battery Energy Storage Systems as a Use Permitted by Special Exception in the M-1, M-2, M-3, A-1 And R-A Zoning Districts.** Ms. Julie Walton, Deputy County Administrator, Community Development, stated that Prince George County is requesting a Zoning Ordinance Amendment to permit the use of Battery Energy Storage Systems and facilities as a use allowed by Special Exception in the M-1, M-2, and M-3, A-1 and R-A zoning districts. In order for this to be permitted, Staff is requesting the proposed Ordinance Text Amendment be approved. This type of facility is not currently addressed in Prince George County’s Zoning Ordinance as a “stand alone” use. Staff has developed a draft ordinance for consideration; defining the Use, Application as Special Exception, Zoning Districts, etc. Staff recommends an internal policy for guidance on application reviews and standard conditions for Special Exception requests. Regulations established the requirement of power companies to provide for 3,100 MW of available energy storage in Virginia by 2035, most among states in the nation. Energy storage is valued for its rapid response – mostly battery storage technologies can begin discharging power to the grid very quickly, while fossil fuel sources tend to take longer to ramp up. This rapid response is important for ensuring stability of the grid when unexpected increases in demand occur or temporary outages. Some storage facility ordinance considerations are proximity to electrical substation or transmission line, the size of the facility, distance to adjoining properties and structures, hazard protections, a provider agreement in place with the energy company, and facility screening and security. Facilities should be sited to avoid wetlands, floodplains, and environmental concerns. Other considerations include, fire and explosion risk mitigation and developing a water containment plans as a component of a Battery Fire Action Plan. Ms. Walton went over some of the latest changes to the draft ordinance, including adding a clause for removal and disposal of individual units at EOL or if damaged, amended allowable noise levels, and adding the defined use to applicable zoning district sections. Ms. Walton has received comments regarding setbacks, noise and a Decommissioning plan. She gave some examples of sound reduction over distance and decibel levels for common sound levels. She also made the public aware of the all of the substations in Prince George County for potential battery storage. There are currently two applicants in the County. Ms. Walton clarified for Mr. Hunter that there can be conditions placed on these applicants. Mr. Brown stated that he believes that there should be required conditions. Ms. Walton and Mr. Whitten clarified for Mr. Carmichael that all cases would have to come before the Board. Chair Waymack opened the public hearing at 8:31 p.m.

Larry Mitchell (16200 Arwood Road). Mr. Mitchell stated that he has mixed reactions to an energy storage system. He understand the principles of it but he hopes consideration is made to have it just in the Planning Area. He would like to keep the rural area of the County rural.

William Steele (County Line Road). Mr. Steele stated that he is concerned about the term Special Exception. When someone comes to this Board with money, the Board grabs the money and approves the Special Exception, no matter what the issues or concerns may be. If we want to do this, that word should be stricken and it should be done in proper zoning. If it means rezoning fine, then it should be rezoned. This Board cannot say no to a Special Exception if someone throws money at it. A Special Exception is a loophole.

There was no one else to speak and the public hearing was closed at 8:36 p.m. In response to Mr. Steele, Mr. Carmichael stated that they can look at rephrasing the wording as long as he rephrases his comments about throwing money at the Board and not the proper language of offering proffers to the County. Mr. Brown stated that there is not a guarantee that there will be battery storage at all of the substations that Ms. Walton previously showed. She was just making the public aware of all of the substations in the County. In addition, Mr. Brown stated that he cautions the public before they come before the Board to speak, state the facts and do not accuse this Board of doing something illegal without the facts. Mr. Webb made a motion, seconded by Mr. Brown, to approve the ordinance as presented. Roll was called on the motion.

O-22-13

P-4.

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF  
PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY  
ADDING § 90-1042 TO PROVIDE REQUIREMENTS FOR BATTERY ENERGY STORAGE  
SYSTEMS, AND BY MODIFYING § 90-443, § 90-493, § 90-543, § 90-53 AND § 90-103 TO  
ADD TIER 2 BATTERY ENERGY STORAGE SYSTEMS AS A USE PERMITTED BY  
SPECIAL EXCEPTION IN THE M-1, M-2, M-3, A-1 AND R-A ZONING DISTRICTS.

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

*(1) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended  
by adding § 90-1042 as follows:*

CHAPTER 90 - ZONING

Sec. 90-1042 – Battery Energy Storage Systems

1. Authority.

This Battery Energy Storage Systems Ordinance is adopted pursuant to the Code of Virginia, § 15.2-2280, of the Commonwealth of Virginia, which authorizes the County of Prince George to adopt zoning provisions that advance and protect the health, safety and welfare of the community.

2. Statement of Purpose.

This Battery Energy Storage System Ordinance is adopted to advance and protect the public health, safety, welfare, and quality of life of the County of Prince George by creating regulations for the installation and use of battery energy storage systems, with the following objectives:

- A. To provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of battery energy storage systems;
- B. To ensure compatible land uses in the vicinity of the areas affected by battery energy storage systems;
- C. To mitigate the impacts of battery energy storage systems on environmental resources such as important agricultural lands, forests, wildlife and other protected resources; and
- D. To create synergy between battery energy storage system development and the surrounding community.

3. Definitions.

As used in this Section, the following terms shall have the meanings indicated:

ANSI: American National Standards Institute

**BATTERY (IES):** A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

**BATTERY ENERGY STORAGE MANAGEMENT SYSTEM:** An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

**BATTERY ENERGY STORAGE SYSTEM:** One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows:

- A. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

**CELL:** The basic electrochemical unit, characterized by an anode and cathode, used to receive, store, and deliver electrical energy.

**COMMISSIONING** a Systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

**DEDICATED-USE BUILDING:** A building that is built for the primary intention of housing battery energy storage system equipment, is classified as Group F-1 occupancy as defined in the latest adopted editions of the Virginia Uniform Statewide Building Code (“USBC”) and the International Building Code, and complies with the following:

- 1) The building’s only use is battery energy storage, energy generation, and other electrical grid-related operations.
- 2) No other occupancy types are permitted in the building.
- 3) Occupants in the rooms and areas containing battery energy storage systems are limited to personnel that operate, maintain, service, test, and repair the battery energy storage system and other energy systems.
- 4) Administrative and support personnel are permitted in areas within the buildings that do not contain battery energy storage system, provided the following:
  - a) The areas do not occupy more than 10 percent of the building area of the story in which they are located.
  - b) A means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing battery energy storage systems or other energy system equipment.

**ENERGY CODE:** The Virginia USBC Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

**FIRE CODE:** The fire code sections of the USBC and the Virginia Statewide Fire Prevention Code, as currently in effect and as hereafter amended from time to time.

**NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL):** A U.S. Department of Labor designation recognizing a private sector organization to perform certification products to ensure that they meet the requirements of both the construction and general industry OSHA electrical standards.

**NEC:** National Electric Code.

NFPA: National Fire Protection Association.

NON-DEDICATED-USE BUILDING: All buildings that contain a battery energy storage system and do not comply with the dedicated-use building requirements.

NON-PARTICIPATING PROPERTY: Any property that is not a participating property.

NON-PARTICIPATING RESIDENCE: Any residence located on non-participating property.

OCCUPIED COMMUNITY BUILDING: Any building in Occupancy Group A, B, E, I, R, as defined in the USBC and/or the International Building Code, including but not limited to schools, colleges, daycare facilities, hospitals, correctional facilities, public libraries, theaters, stadiums, apartments, hotels, and houses of worship.

PARTICIPATING PROPERTY: A battery energy storage system host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the battery energy storage system owner (or affiliate) regardless of whether any part of a battery energy storage system is constructed on the property.

UNIFORM CODE: The Virginia Uniform Statewide Building Code adopted pursuant to § 36-98 of the Code of Virginia, as currently in effect and as hereafter amended from time to time.

#### 4. Applicability.

- A. The requirements of this Ordinance shall apply to all battery energy storage systems permitted, installed, or modified in the County of Prince George after the effective date of this Ordinance, excluding general maintenance and repair.
- B. Battery energy storage systems constructed or installed prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance.
- C. Modifications to, retrofits or replacements of an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this Ordinance.

#### 5. General Requirements.

- A. All battery energy storage system installations shall comply with site plan requirements in accordance with Section 90-824.
- B. All battery energy storage systems, all Dedicated Use Buildings, and all other buildings or structures that (1) contain or are otherwise associated with a battery energy storage system and (2) subject to the Uniform Code and/or the Energy Code shall be designed, erected, and installed in accordance with all applicable provisions of the Uniform Code, all applicable provisions of the Energy Code, and all applicable provisions of the codes, regulations, and industry standards as referenced in the Uniform Code, the Energy Code, and the Code of the County of Prince George.
- C. All battery storage systems which include batteries of various chemistries and types, are classified as hazardous waste upon reaching end-of-life (EOL) or in a condition/state of degradation that requires replacement. Transport and Disposal of all such components and solid and hazardous waste shall be in accordance with local, state, and federal hazardous waste disposal regulations.

#### 6. Permitting Requirements for Tier 1 Battery Energy Storage Systems.

Tier 1 Battery Energy Storage Systems shall be permitted in all zoning districts, subject to the Uniform Code and are exempt from separate site plan review.

## 7. Permitting Requirements for Tier 2 Battery Energy Storage Systems.

Tier 2 Battery Energy Storage Systems are permitted through the issuance of a Special Exception by the Board of Supervisors within the M-1, M-2, M-3, A-1 and R-A zoning districts, and shall be subject to the Special Exception application process, the USBC, and the site plan application requirements set forth in this Section. All applications shall address at a minimum the following items:

- A. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
- B. Signage.
  - 1) The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and 24-hour emergency contact information, including reach-back phone number.
  - 2) As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
- C. Lighting. Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.
- D. Vegetation and tree-cutting. Areas within 20 feet on each side of Tier 2 Battery Energy Storage Systems shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted to be exempt provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible.
- E. Noise. The average noise generated from the battery energy storage systems, components, and associated ancillary equipment at any time shall not exceed a noise level of 20 dBA as measured at the outside wall the property line of any surrounding non-participating residence or occupied community building in the R-A and A Zoning Districts. In M Zoning Districts, the average noise shall not exceed a noise level of 60 dBA at adjoining property lines. Applicants may submit equipment and component manufacturers' noise ratings to demonstrate compliance. The applicant may be required to provide Operating Sound Pressure Level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard.
- F. Decommissioning.
  - 1) Decommissioning Plan. The applicant shall submit a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal from the facility. The decommissioning plan shall include:
    - a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
    - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

- c. The anticipated life of the battery energy storage system;
  - d. The estimated decommissioning costs and how said estimate was determined;
  - e. The method of ensuring that funds will be available for decommissioning and restoration;
  - f. The method by which the decommissioning cost will be kept current;
  - g. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
  - h. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- 2) Decommissioning fund. The owner and/or operator of the energy storage system shall continuously maintain the fund or bond payable to the County of Prince George, in a form approved by the County of Prince George for the removal of the battery energy storage system, in an amount to be determined by the County of Prince George, for the period of the life of the facility. This fund may consist of a letter of credit Virginia-licensed financial institution. All costs of the financial security shall be borne by the applicant.
- G. Site plan application. For a Tier 2 Battery Energy Storage System requiring a Special Exception Permit, site plan approval shall be required. Any site plan application shall include the following information in addition to the items listed in Section 90-824:
- (1) Property lines and physical features, including roads, for the project site.
  - (2) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
  - (3) A three-line electrical diagram detailing the battery energy storage system layout, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.
  - (4) A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
  - (5) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the battery energy storage system. Such information of the final system installer shall be submitted prior to the issuance of building permit.
  - (6) Name, address, phone number, and signature of the project Applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the battery energy storage system.
  - (7) Zoning district designation for the parcel(s) of land comprising the project site.
  - (8) Commissioning Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the all applicable codes. Battery energy storage system commissioning shall be conducted by a Virginia Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A report describing the results of the system commissioning and including the results of the initial acceptance testing shall be provided prior to final inspection and approval and maintained at an approved on-site location.
  - (9) Fire Safety Compliance Plan.
  - (10) Operation and Maintenance Manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information.
  - (11) Erosion and sediment control and storm water management plans.

(12) Emergency Operations Plan.

- a. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
- b. Procedures for inspection and testing of associated alarms, interlocks, and controls.
- c. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
- d. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
- e. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
- f. Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
- g. Water containment plan.
- h. Other procedures as determined necessary by the County of Prince George to provide for the safety of occupants, neighboring properties, and emergency responders.
- i. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

H. Special Exception Permit Standards.

- (1) Setbacks. Tier 2 Battery Energy Storage Systems shall comply with the setback requirements of the underlying zoning district for principal structures or 100 feet, whichever is greatest.
- (2) Lot size. Tier 2 Battery Energy Storage Systems shall have a minimum lot size of 5 acres and maximize buffer areas to adjoining properties regardless of lot topography. Facilities shall be sited to avoid wetlands, floodplains, and any other environmental concerns.
- (3) Height. Tier 2 Battery Energy Storage Systems shall comply with the building height limitations for principal structures of the underlying zoning district.
- (4) Fencing Requirements. Tier 2 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a 7-foot-high security type fence with a self-locking gate to prevent unauthorized access unless housed in a secure, dedicated-use building and not interfering with ventilation or exhaust ports.
- (5) Screening and Visibility. Tier 2 Battery Energy Storage Systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area and not interfering with ventilation or exhaust ports.

- I. Ownership Changes. If the owner of the battery energy storage system changes or the owner of the property changes, the special exception permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special exception permit, site plan approval, and decommissioning plan. A new owner or operator of the battery storage system shall notify the County Planning Division and County Attorney of such change in ownership or operator within 30 days of the ownership change. A new owner or operator must provide such notification to the County

in writing. The special exception permit and all other local approvals for the battery energy storage system would be void if a new owner or operator fails to provide written notification to the County in the required timeframe. Reinstatement of a void special exception permit will be subject to the same review and approval process for new applications under this Ordinance.

J. Copy of provider service agreement with energy/utility provider.

## 8. Safety

- A. System Certification. Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for battery energy storage systems and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:
- 1) UL1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
  - 2) UL 1642 (Standard for Lithium Batteries),
  - 3) UL 1741 or UL 62109 (inverters and Power Converters),
  - 4) Certified under the applicable electrical, building, and fire prevention codes as required.
  - 5) Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.
- B. Site Access. Battery energy storage systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including access maintenance, repair, and snow removal at a level acceptable to the local fire department.
- C. Battery energy storage systems, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

## 9. Abandonment

The battery energy storage system shall be considered abandoned when it ceases to operate consistently for more than 24 months. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the County of Prince George may, as its discretion, enter the property and utilize the available bond and/or security for the removal of a Tier 2 Battery Energy Storage System and restoration of the site in accordance with the decommissioning plan.

## 10. Enforcement

Any violation of this Battery Energy Storage System shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the building, zoning, or land use regulations of the County of Prince George.

## 11. Severability

The invalidity of unenforceability of any section, subsection, paragraph sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

*(2) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by modifying § 90-443 as follows to add a use permitted by special exception in the M-1 zoning district:*

*(7) Tier 2 Battery Energy Storage System, in accordance with Section 90-1042.*



(3) *That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by modifying § 90-493 as follows to add a use permitted by special exception in the M-2 zoning district:*

(7) Tier 2 Battery Energy Storage System, in accordance with Section 90-1042.

(4) *That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by modifying § 90-543 as follows to add a use permitted by special exception in the M-3 zoning district:*

Sec. 90-543. - Uses permitted by special exception.

The following uses and structures are permitted by special exception in the M-3 heavy industrial district:

(1) Sanitary landfills in accordance with the requirements of section 90-1033.

(2) Tier 2 Battery Energy Storage System, in accordance with Section 90-1042.

(5) *That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by modifying § 90-53 as follows to add a use permitted by special exception in the A-1 zoning district:*

(60) Tier 2 Battery Energy Storage System, in accordance with Section 90-1042.

(6) *That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by modifying § 90-103 as follows to add a use permitted by special exception in the R-A zoning district:*

(58) Tier 2 Battery Energy Storage System, in accordance with Section 90-1042.

(7) *That the Ordinance shall be effective upon adoption.*

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

#### **ORDER OF BUSINESS (cont'd)**

**A-8. Emergency Ordinance Regarding the Waiver of Penalty and Interest for Personal Property Taxes, Real Estate Taxes, Stormwater Utility Fees and Public Services Taxes.** Mr. Dan Whitten, County Attorney, stated that the Board of Supervisors of Prince George County finds that emergency measures are necessary to respond to the current economic conditions including rising vehicle assessments and wants to provide residents some relief from the penalty and interest on personal property taxes, real estate taxes, stormwater fees, and public services taxes normally due June 5, 2022 but extended until June 24, 2022. Virginia Code § 15.2-1427 provides that the Board of Supervisors may adopt emergency ordinances without prior notice. The proposed ordinance amendment will waive penalty and interest until August 31, 2022 on personal property taxes, real estate taxes, stormwater fees, and public services taxes now due on June 24, 2022. The proposed Ordinance would only be effective through August 31, 2022. The Board of Supervisors will need to re-adopt this emergency ordinance within 60 days pursuant to the public notice required under Virginia Code § 15.2-1427. Staff is directed to advertise a public hearing for June 14, 2022. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the emergency ordinance to Waive Penalty and Interest Until August 31, 2022 on Personal Property Taxes, Real Estate Taxes, Stormwater Utility Fees, and Public Services Taxes. Roll was called on the motion.

O-22-14

A-8.

EMERGENCY ORDINANCE TO WAIVE PENALTY AND INTEREST UNTIL AUGUST 31, 2022 FOR PERSONAL PROPERTY TAXES, REAL ESTATE TAXES, STORMWATER UTILITY FEES AND PUBLIC SERVICES TAXES DUE JUNE 24, 2022

WHEREAS Virginia Code § 15.2-1427 provides that the Board of Supervisors may adopt emergency ordinances without prior notice; and

WHEREAS the Board of Supervisors needs to adopt an emergency ordinance in order to respond to the current economic conditions including rising vehicle assessments; and

WHEREAS the Board of Supervisors wants to provide residents some relief from the penalty and interest on personal property taxes, real estate taxes, stormwater utility fees and public services taxes due June 24, 2022; and

WHEREAS the proposed ordinance amendment will waive penalty and interest until August 31, 2022 on personal property taxes, real estate taxes, stormwater utility fees and public services taxes due on June 24, 2022; and

WHEREAS the proposed ordinance will only be effective through August 31, 2022; and

WHEREAS the Board of Supervisors needs to re-adopt this emergency ordinance within 60 days pursuant to the public notice required under Virginia Code § 15.2-1427; and

WHEREAS the Board of Supervisors directs staff to advertise a public hearing for June 14, 2021, to consider readopting this emergency ordinance.

NOW, THEREFORE, BE IT ORDAINED that the following uncodified emergency ordinance is adopted:

**1. Taxes - penalty and interest for late payments**

Notwithstanding the provisions of Prince George County Code § 74-1, § 74-2, and § 38-82, for all real estate taxes, personal property taxes, stormwater utility fees and public services taxes now due on June 24, 2022, penalty and interest shall be added and collected as follows: penalty and interest of zero percent (0%) for all payments received on or before August 31, 2022, and thereafter a penalty of ten (10) percent and interest at a rate of ten (10) percent per annum for real estate, personal property, stormwater utility fees and public services taxes not paid on or before August 31, 2022.

**2.** This ordinance shall be effective upon adoption and remain effective for not more than 60 days unless readopted pursuant to the public notice provisions of Virginia Code § 15.2-1427.

**3.** Even after re-adoption, this ordinance shall be effective through August 31, 2022 and expire on September 1, 2022, without further action.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Mr. Brown made a motion, seconded by Mr. Carmichael, to approve the resolution to advertise a public hearing for June 14, 2022. Roll was called on the motion.

R-22-99

A-8.

**RESOLUTION REGARDING THE WAIVER OF PENALTY AND INTEREST FOR PERSONAL PROPERTY TAXES, REAL ESTATE TAXES, STORMWATER UTILITY FEES AND PUBLIC SERVICES TAXES**

WHEREAS, Virginia Code § 15.2-1427 provides that the Board of Supervisors may adopt emergency ordinances without prior notice; and

WHEREAS, the Board of Supervisors needs to adopt an emergency ordinance in order to respond to the current economic conditions including rising vehicle assessments; and

WHEREAS, the Board of Supervisors wants to provide residents some relief from the penalty and interest on personal property taxes, real estate taxes, stormwater utility fees, and public services taxes due June 24, 2022; and

WHEREAS, the proposed ordinance amendment will waive penalty and interest until August 31, 2022 on personal property taxes, real estate taxes, stormwater utility fees, and public services taxes due on June 24, 2022; and

WHEREAS, the proposed ordinance will only be effective through August 31, 2022; and

WHEREAS, the Board of Supervisors needs to re-adopt this emergency ordinance within 60 days pursuant to the public notice required under Virginia Code § 15.2-1427; and

NOW, THEREFORE, the Board of Supervisors directs staff to advertise a public hearing for June 14, 2022 to consider readopting this emergency ordinance.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-9. Resolution; Establishment of FY2023 Tax Levies for Real Property and Mobile Homes.** Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that the County Administrator presented the Fiscal Year 2022-2023 introduced budget at the March 22, 2022 board meeting, and recommended reductions in the in the Real Property, Mobile Home, and Personal Property tax rates. No change was recommended in the Machinery and Tools tax rate. The Board of Supervisors, at a March 29 Budget Work Session, after receiving updated higher real property assessment estimates, further reduced the real property and personal property tax rates for advertisement to: Real Property - **\$0.82** per \$100 of assessed value [**\$0.04 less than current rate**] Personal Property - **\$3.90** per \$100 of assessed value [**\$0.35 less than current rate**] Mobile Homes - **\$0.82** per \$100 of assessed value [**\$0.04 less than current rate**] Machinery & Tools - \$1.50 per \$100 of assessed value [no change from current rate]. On April 26, 2022, a public hearing was held on the FY 2022-2023 tax rates, and the adoption of the Real Property and Mobile Homes tax rates was delayed because a public hearing on an effective tax increase due to increased real property assessed values is being held on May 10 (tonight). There is a 30-day advertisement requirement, and this public hearing could not be held on April 26. The Board received public comments on the advertised tax rates on April 26, and will receive public comments on the effective tax increase in real estate taxes due to increased assessed values tonight (May 10). There is no action following that public hearing unless the Board chooses to equalize to \$0.75. The advertised real estate and mobile home tax rates was \$0.82 per \$100 of assessed value, \$0.04 less than the current rate of \$0.86. Following the adoption of the tax rate, the School System is very eager to obtain some type of consensus or direction to release teacher contracts. Following the adoption of the tax rate, we do not anticipate that the School transfer from the locality will change. Staff requests that the Board of Supervisors consider and adopt the real estate and mobile home tax rates as advertised. Real Property - **\$0.82** per \$100 of assessed value [**\$0.04 less than current rate**] Mobile Homes - **\$0.82** per \$100 of assessed value [**\$0.04 less than current rate**]. **Mr. Brown made a motion, seconded by Mr. Webb, to approve Real Estate and Mobile Home Tax Rates** as advertised.

R-22-100

A-9.

RESOLUTION; ESTABLISHMENT OF FY2023 TAX  
LEVIES FOR REAL PROPERTY AND MOBILE HOMES

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of May, 2022 hereby establishes the following levies for the Real Property Tax for

Fiscal Year 2023 beginning July 1, 2022 and ending June 30, 2023 pursuant to Section 58.1-3001 of the Code of Virginia (1950, as amended).

<u>Class of Property</u>	<u>Rate per \$100 of Assessed Valuation</u>
1. Real Property	\$0.82
2. Mobile homes, an industrial building unit constructed on a chassis for towing to the point of use and designed to be used, without a permanent foundation; for a continuous year-round occupancy as a dwelling; of two or more such units separately towable, but designed to be joined together at the point of use to form a single dwelling, and which is designed for removal to, and installation of erection on other sites (Section 58.1-3503.6)	\$0.82

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Mr. Hunter read the following statement: With the County tax rates set for FY23, the MOU local allocations with the School System should not change between today and May 24. Even though the FY23 budget will be considered for final approval on May 24, it is important in this competitive labor market to secure local teacher contracts as quickly as possible assuming the proposed County financial commitment as presented. The Board agreed by consensus for the School System to move forward with teacher contracts.

**A-10. Resolution; Authority to Advertise an Ordinance Amending Section 2-292.1 and Repealing Section 2-293 Relating to Duties of the County Administrator and Appointment of a Clerk.** Mr. Dan Whitten, County Attorney, stated that in October 2018 the Board amended the County Code to provide that a separate Clerk to the Board would be appointed by the Board rather than the County Administrator being the Clerk under the County Code. It is now the request of the Board to have the County Administrator serve as the Clerk. The proposed Ordinance amending Section 2-292.1 states the County Administrator shall be the Clerk of the Board of Supervisors and shall perform responsibilities of the Clerk as provided by state law and other responsibilities as directed by the Board. Repealing Section 2-293 eliminates the appointment of a Clerk for the Board of Supervisors. Under the Virginia Code, if the County Administrator is named the Clerk to the Board, the current Clerk automatically turns that position over to the County Administrator. Mr. Webb made a motion, seconded by Mr. Brown, to approve authority to advertise the ordinance for a public hearing on June 14, 2022.

On roll call the vote was:

In favor: (2) Webb, Brown

Opposed: (3) Waymack, Carmichael, Hunter

Absent: (0)

**ADJOURNMENT.** Mr. Carmichael moved, seconded by Mr. Hunter to adjourn. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

The meeting adjourned at 8:50 p.m.

[Draft Minutes prepared May 16, 2022 for consideration on May 24, 2022; adopted by unanimous vote.]

---

Marlene J. Waymack  
Chair, Board of Supervisors

---

Jeffrey D. Stoke  
County Administrator