

AGENDA
Board of Supervisors
County of Prince George, Virginia
Regular Meeting: March 28, 2023
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.**

The meeting will be live-streamed at the following link:

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.

Any public comments received in person or by website form up until the public comment section is closed by the Chair of the Board of Supervisors on March 28 may be entered into the meeting minutes if desired by the citizen.

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

INVOCATION

PLEDGE OF ALLEGIANCE TO U.S. FLAG

PUBLIC COMMENTS

ADOPTION OF AGENDA

ORDER OF CONSENSUS

C-1. Draft Minutes – March 14, 2023 Regular Meeting.

C-2. Resolution; Commendation; Irma Brown; Service to Prince George County.

C-3. Resolution; Commendation; Floyd M. Brown, Sr.; Service to Prince George County.

PRESENTATIONS

S-1. Resolution; Commendation; Irma Brown; Service to Prince George County.

S-2. Resolution; Commendation; Floyd M. Brown, Sr.; Service to Prince George County.

SUPERVISORS' COMMENTS

COUNTY ADMINISTRATOR'S COMMENTS

REPORTS

POSTPONED ITEMS

ORDER OF BUSINESS

PUBLIC HEARINGS

- P-1 **REZONING RZ-22-05:** Request of HB Property Associates, LLC to conditionally rezone approximately 19.836 acres from M-1, Light Industrial to M-2, General Industrial. The purpose of the rezoning is to allow overflow tractor trailer parking for e-commerce fulfillment transportation services. The subject property is located at the end of Corporate Lane (a road that is accessed off Rives Road in the corporate limits of the City of Petersburg). The property is identified as Tax Map 330(0A)00-016-0. The Comprehensive Plan Future Land Use Map indicates the property is planned for Industrial development.
- P-3. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §§ 82-236 and 82-511 to Require Payment of Connections Fees Prior to Issuance of a Building Permit.
- P-4. Public Hearing; Eminent Domain for Utility Easement.
- P-5. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §§ 74-301, 74-302, 74-304, 74-306 and 74-310 and by Enacting § 74-304.1 to Add New Definitions to Align with the State Code and to Change the Process by Which Transient Occupancy Taxes are Collected from Accommodation Providers and Accommodation Intermediaries.
1. P-6. Public Hearing Ordinance to Amend § 30-62 of “The Code of the County of Prince George, Virginia”, 2005, as Amended, to Change the Polling Location for the Rives Precinct.

ADJOURNMENT

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

MINUTES
Board of Supervisors
County of Prince George, Virginia

February 14, 2023

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

MEETING CONVENED. Chairman Donald R. Hunter called a regular meeting of the Board of Supervisors of the County of Prince George, Virginia, to order at 5:00 p.m. on February 14, 2023 in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia.

ATTENDANCE. The following members responded to Roll Call:

Donald R. Hunter, Chairman	Present
T. J. Webb, Vice-Chairman	Present
Floyd M. Brown, Jr.	Present [Electronically from home for medical purpose]
Alan R. Carmichael	Present
Marlene J. Waymack	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 officers, appointees or employee of the public body; I further move that such discussion shall be limited to (a) the Recreation Advisory Commission and (b) the Senior Task Force; and (ii) Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, and such discussion shall be limited to (a) an Agreement for the use of Opioid Settlement Funds and (b) an amendment to the L3 Harris contract. Mr. Webb made a motion, seconded by Mr. Carmichael, that the Board convene closed session for Section 2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of a specific public officers, appointees or employee of the public body; I further move that such discussion shall be limited to (a) the Recreation Advisory Commission and (b) the Senior Task Force; and Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, and such discussion shall be limited to (a) an Agreement for the use of Opioid Settlement Funds and (b) an amendment to the L3 Harris contract.

R-23-034

E-1.

RESOLUTION; CLOSED SESSION FOR (1) SECTION 2.2-3711.A.1 – DISCUSSION OR CONSIDERATION OF THE ASSIGNMENT, APPOINTMENT, PROMOTION, PERFORMANCE, DEMOTION, SALARIES, DISCIPLINING OR RESIGNATION OF A SPECIFIC PUBLIC OFFICERS, APPOINTEES OR EMPLOYEE OF THE PUBLIC BODY; I FURTHER MOVE THAT SUCH DISCUSSION SHALL BE LIMITED TO (A) THE RECREATION ADVISORY COMMISSION AND (B) THE SENIOR TASK FORCE; AND (II) SECTION 2.2-3711.A.8 FOR CONSULTATION WITH LEGAL COUNSEL REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY SUCH COUNSEL, AND SUCH DISCUSSION SHALL BE LIMITED TO (A) AN

AGREEMENT FOR THE USE OF OPIOID SETTLEMENT FUNDS AND (B) AN AMENDMENT TO THE L3 HARRIS CONTRACT

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of February, 2023, 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 officers, appointees or employee of the public body; I further move that such discussion shall be limited to (a) the Recreation Advisory Commission and (b) the Senior Task Force; and (ii) Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, and such discussion shall be limited to (a) an Agreement for the use of Opioid Settlement Funds and (b) an amendment to the L3 Harris contract.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

E-2. Resolution; Certification of Closed Session. At 5:41 p.m., Mr. Carmichael made a motion, seconded by Mrs. Waymack, that the Board adjourn the closed session and enter open session, certifying that to the best of each Board Members' knowledge (1) only public business lawfully exempted from open meeting requirements were discussed and (2) only matters identified in the convening motion were discussed. Chairman Hunter asked if any Board member knew of any matter discussed during the closed session that was not announced in its convening legislation. Hearing no comment from the Board, the Chairman asked that the roll be called on the motion.

R-23-034A

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 14th day of February, 2023 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) Waymack, Webb, Hunter, Carmichael, Brown

Opposed: (0)

Absent: (0)

Chairman Hunter called a recess at 5:42 pm. The meeting reconvened at 6:00 pm.

WORK SESSION

Mr. Dean Simmons, General Services Director, introduced Ms. Stephanie Kalantarians of Guernsey Tingles Architects to give the Board an update on the new convenience center site. The intent is that the new convenience center site will operate with similar services of the Union Branch location, including a scale, household waste, yard waste, construction materials waste, recycling, electronics, and haz mat collection. They have created a layout to operate and function more efficiently than Union Branch. The site on the Yancey Property selected by the Board creates an opportunity for future development and County uses on the remainder of the property. It maintains good screening from roadways and adjacent properties. VDOT says no turn lanes or roadway widening is needed. The County may desire to widen the roadway from the entrance to the intersection for better maneuverability approx. 2000 LF from the intersection. East Quaker Road is narrow, approximately 20 feet wide roadway. The 3 Phase electrical service will need to be upgraded along E. Quaker Road from Prince George Drive to the new site location. There are no public water and sewer utilities. New wells for water services and drainfields or pump-and-haul for sanitary will be necessary. There will be three solid waste

containers, two solid waste compactors, two scrap metal containers, one tire container, two electronics containers, two recycling containers, a 15'x30' household hazardous waste shelter, 24 parking spaces, roll-off trucks to access recycling and electronics containers, and a retaining wall to be 5 feet with a 42 inch parapet for safety. Mr. Webb asked if the 3 Phase electrical will be for the compactors. Ms. Kalantarians confirmed that is correct. Mr. Carmichael asked if a second party such as Meridian Waste has been consulted. Mr. Simmons stated that they have been consulting with Meridian Waste on design, but not operation costs yet. Ms. Betsy Drewry, Deputy County Administrator, Finance, confirmed that they can either extend their contract with Meridian Waste or it can be put out to bid for operations. Mr. Webb added that it is not a bad idea to put it out to bid to compare costs. Mr. Hunter asked what the speed limit is there on East Quaker Road. Mr. Jeff Stoke, County Administrator, confirmed that it is 40 mph. Mr. Simmons stated that the next steps would be to move forward with the design drawings so that they can put it out to bid.

Mr. Dean Simmons, General Services Director, gave an update on the Courthouse renovations. It went out to bid and a contract has been signed with a contractor. With the supply chain issue, the contractor does not want a notice to proceed until they are able to make sure they get the supplies on time to fulfill the contract. Currently, they are working through the RFI process for equipment to be approved so that it can be ordered. The generator has been ordered and we are looking at a June start date with the contract. It is important to make sure they are ready with all of the supplies as the Courtroom will need to be shut down to make the renovations.

Ms. Julie Walton, Deputy County Administrator, Community Development, stated that a request has been received by her department to vacate a recently recorded Consolidation Plat. Parcels were consolidated to meet minimum acreage requirements for a potential Solar Facility development site. All related parcels are still owned by the original owner. The proposed Solar Facility was found not in compliance with the County's Comprehensive Plan by the Planning Commission, and the request did not move forward. The property owner wishes to vacate the recorded plat and return the individual parcels to their previous state. Both County Code and State law have provisions on how to proceed with this type of request. The County Code Sections related to vacating a plat are Sec. 70-802. Vacation of plat before sale of lot therein; by the owners; and Sec. 70-804. Vacation of plat before sale of lot therein; ordinance of vacation. The property owner and Staff are requesting a plat vacation in accordance with County Code Section 70-802. State Law § 15.2-2271. Vacation of plat before sale of lot therein; ordinance of vacation provides for two options for vacation in cases where no lots/parcels have been sold: (1) by consent of the governing body; and (2) by ordinance of the governing body. The property owner and Staff are requesting a plat vacation in accordance with Option 1 above. The request will be heard by the Planning Commission, with a recommendation forwarded to the Board. The Board will review and consider approval at a future meeting. If approved, the consent will be forwarded to the Clerk of Court. Ms. Walton confirmed for Mr. Brown that it would be like the consolidation never happened once the plat is vacated. The Board agreed that would be the way to move forward.

Ms. Denise Waff, Director of Community Corrections, gave an update on Drug Court and talked about some of its recent developments. The Hopewell, Prince George, Surry Drug Court Program uses Prince George County as its fiscal agent. The amended FY2023 Budget is \$131,065 supporting one full-time employee (Drug Court Coordinator) and services and supplies. Their largest funding source is a Virginia Supreme Court Grant in the amount of \$90,000. That money was used to pay the Coordinator salary and benefits (\$78,506) and counseling services through its contracted provider, Merakey (\$11,494). The other \$41,065 covers client fees (\$13,000), donations (\$1,300), and local Prince George County support (\$26,765). Prince George County local support includes the remaining salaries and benefits for the Coordinator, remaining counseling, drug tests, Deputy overtime for Drug Court home visits, and training dues and supplies. Merakey provides contracted treatment and Counseling Services using a Discretionary SOR Grant in the amount of \$163,860.29 through the Virginia Department of Behavioral Health and Development Services. That grant runs from October 1, 2022 to September 30, 2023. Merakey serves as the fiscal agent and that grant funds 75% of the full-time therapist, 75% of the full-time Peer Specialist, and a varying percentage of Administrative and Nursing Services, training, travel, services, supplies, and administrative recovery. The Drug Court Coordinator resigned effective January 20, 2023. The County is actively recruiting to fill the vacancy. In addition, Candace Roney, Merakey Executive Director, is leaving Merakey and Merakey has announced closure of its Petersburg Office at the end of February. They are

working to match clients with Medicaid to local treatment providers. They are in discussions with the Department of Behavioral Health to see if they could transition the SOR Grant to Prince George County. They have been told it would take 60 to 90 days to do that. There have also been some discussions about using some of the Virginia Supreme Court Grant and available local funds within the Drug Court budget to provide needed services. That would require a budget transfer amendment with the Supreme Court. There would also need to be an emergency award approved by the County Administrator. Brightview Addiction Center here in the County has stepped in and already met with all of the Drug Court clients and connected them to individual therapy, group therapy, and assisted with medical treatment. They are a short-term interim fix and they are in conversations with the County regarding long term.

Chairman Hunter called a recess at 6:36 pm. The meeting reconvened at 7:00 pm.

Invocation. Mrs. Waymack gave the Board's invocation.

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

PUBLIC COMMENTS. Chairman Hunter announced that anyone wishing to come before the Board may do so at this time. He noted that this was the time for unscheduled general public comments. Chairman Hunter opened the public comments at 7:01 p.m. There was no one to speak and the public comments period was closed.

APPROVAL OF AGENDA. The Drug Court Update was moved to the 6:00 work session and Items A-7 and A-9B were removed. Mr. Carmichael made a motion, seconded by Mr. Webb, to adopt the agenda as amended. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

SUPERVISORS COMMENTS

Mrs. Waymack reminded the public that COVID and other viruses are still making the rounds and to please be safe by washing your hands and getting your vaccines.

Mr. Brown apologized for missing the last meeting as he was out of the country and for not being in person this evening due to recovery from eye surgery.

Mr. Hunter wished everyone a Happy Valentine's Day.

COUNTY ADMINISTRATOR'S COMMENTS

Mr. Jeff Stoke, Deputy County Administrator, stated that the Special Election for the 4th US Congressional District to fill Congressman McEachin's seat will be on Tuesday, February 21 from 6am-7pm. Special early voting hours 9am-5pm will be this Saturday, February 18 at the Registrar's Office on the second floor of the County Administration Building. The first day for students and teachers at Middle Road Elementary School will be on February 21 – traffic expected to increase along Middle Road. The FY24 Budget work sessions with the Board begin on February 22. The anticipated budget adoption date is May 23.

REPORTS

VDOT – Ms. Crystal Smith of the Virginia Department of Transportation stated that the no thru truck restriction for Templeton and related routes is being advertised for a 30-day public comments period from March 1 to April 1. The signs for advertisement have been installed on each of those routes. VDOT has completed an additional litter pick-up in the County. Surface schedules have started and the Board should be receiving the two-week look ahead. That includes slurry, Cape Seal, latex, and plant mix. The Bull Hill Roundabout will not begin heavy construction until October. There will be a public hearing advertisement coming up for the Secondary Six-Year Plan.

ORDER OF BUSINESS

A-1. Draft Minutes – January 24, 2023 Regular Meeting. Mr. Webb made a motion, seconded by Mrs. Waymack, to approve the January 24, 2023 Regular Meeting minutes. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Abstained: (1) Brown

A-2. Resolution; Award of Contract; Budget Transfer and Appropriation, and Authority to Advertise a Public Hearing for Budget Amendment for the Construction of the Water Line Extension to the Route 10 Corridor. Mr. Frank Haltom, County Engineer, stated that the late Congressman Donald McEachin, former US Congressional representative, was successful in awarding the County \$3.2 million for the extension of the County's central water system to serve the communities of Jordan on the James, Beechwood Manor, and Chappell Creek, collectively, the Route 10 Corridor; and decommission the existing well facilities that currently serve them. The County must contribute the remaining funds to construct the project. The County issued Invitation for Bids on December 9, 2022, with bids due on December 22. Contractors were required to provide two bid amounts – one to include the water services for existing homes along the route, and one bid to exclude the water services for existing homes. The County received three bids during the original bid solicitation. The low bid was not responsive and the remaining bids exceeded the available funds. The original bid solicitation was cancelled. The County updated the IFB and issued on January 9, 2023, with bids due on January 19. The County received three bids, all of which were responsive. The apparent low bid was submitted by Walter C. Via Enterprises, Inc. for \$5,281,570, which includes the installation of water service along the route for existing homes. The County's engineering consultant, WW Associates, has evaluated the bid and checked references for the contractor. Staff recommends award of the project to Walter C. Via Enterprises, Inc. for \$5,281,570. Mr. Webb made a motion, seconded by Mrs. Waymack, to approve the resolution to award the contract to Walter C. Via Enterprises, Inc. for \$5,281,570 and a \$1,281,570 transfer of funds from the ARPA Utility Project Contingency and the appropriation of funds from the Utility Reserve Fund in the amount of \$550,000 to fund the costs of these services. In addition, to advertise a public hearing for March 14 to appropriate \$3,200,000 in federal grant proceeds for the Water Line Extension to the Route 10 Corridor. Roll was called on the motion.

R-23-035

A-2.

RESOLUTION: AWARD OF CONTRACT, BUDGET TRANSFER AND APPROPRIATION, AND AUTHORITY TO ADVERTISE A PUBLIC HEARING FOR BUDGET AMENDMENT FOR THE CONSTRUCTION OF THE WATER LINE EXTENSION TO THE ROUTE 10 CORRIDOR

WHEREAS, the County sought and received an award federal EPA Community Grant funds in the amount of \$3,200,000 for the construction of a water line to connect the central water system to the existing wells systems that serve Jordan on the James, Beechwood Manor and Eagle Preserve (Route 10 Corridor); and

WHEREAS, Invitation for Bid #23-08-0103 for the water line extension to the Route 10 Corridor were advertised for bid and three bids were received by the due date of January 19th and Walter C. Via Enterprises, Inc. submitted the low bid of \$5,281,570.00; and

WHEREAS, staff is requesting authority to advertise a March 14, 2023, public hearing to consider appropriation of federal EPA Community funds in the amount of \$3,200,000; and

WHEREAS, Award of this contract requires the appropriation of \$550,000 in Utility Cash Reserves and the transfer of \$1,281,570 from ARPA Utility Project Contingency.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 14th day of February, 2023, hereby awards the contract for the construction of the water line extension to the Route 10 Corridor to Walter C. Via Enterprises, Inc. for \$5,281,570.00.

NOW, THEREFORE BE IT ALSO RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of February, 2023, does hereby authorize the advertisement of the March 14, 2023, public hearing to receive public comment and the consider appropriation of \$3,200,000 in federal EPA Community grant funds, championed by the late U. S. Congressman Donald McEachin.

NOW, THEREFORE BE IT FURTHER RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of February, 2023, does hereby authorize and appropriate the following increase of funds within the 2022-2023 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>
Utilities Fund		
Expenditures:		
0620-04-104-7016-48406	Utilities Capital Water Facility Improvements	\$550,000
Revenues:		
0620-40-900-8208-399999	Utilities Fund, Fund Balance	\$550,000
ARPA Fund		
Expenditures:		
0231-04-104-3230-48406	ARPA Utility Water Line Extension to Route 10 Corridor	\$1,281,570 increase
0231-04-104-7003-49199	ARPA Utility Project Contingency	(\$1,281,570) decrease

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

A-3. Resolution; Support of the Replacement of Water Lines in the Beachwood Manor Subdivision and Authorization to Submit DWSRF/VHD Grant Application. Mr. Frank Haltom, County Engineer, stated that to determine the remaining service life of the water lines within the Beechwood Manor subdivision, Cornwell Engineering Group was tasked to perform a condition assessment of the water lines. After review of the assessment, the replacement of approximately 21,000 linear feet of primarily 4” and 6” diameter asbestos cement pipes should be planned for the near future. The water lines were originally installed in 1975 (48 years old), and the assessment revealed the estimated remaining service life ranges from 0 to 7 years. Cornwell Engineering Group is assisting the County to apply for funds for the replacement of these water lines through the Drinking Water State Revolving Fund (DWSRF) administered by the Virginia Department of Health (VDH). A successful application could provide grant funds or a low interest loan for projects that demonstrate a benefit to drinking water systems. The cost to replace the water lines is estimated at \$7.5 million, including design, permitting and construction costs. All costs are eligible for funding. In order to submit a strong application, it is recommended the Board adopt a resolution in support of the project, subject to receiving adequate funding. Additionally, Staff is seeking Board authorization to apply for funding through the Drinking Water State Revolving Fund (DWSRF) administered by the Virginia Department of Health (VDH). Mr. Webb stated that they have been dealing with brown water as long as he can remember. He asked what the new pipe would be. Mr. Haltom stated that it would be all PVC. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to approve a resolution to replace the Beechwood water lines upon receiving adequate grant funding, and authorize Staff to apply for funding through the Drinking Water State Revolving Fund (DWSRF) administered by the Virginia Department of Health (VDH).

R-23-036

RESOLUTION: SUPPORT OF THE REPLACEMENT OF WATER LINES IN THE BEECHWOOD MANOR SUBDIVISION AND AUTHORIZATION TO SUBMIT DWSRF / VDH GRANT APPLICATION

WHEREAS, the county hired Cornwell Engineering Group to perform a condition assessment of the water lines that serve the Beechwood Manor Subdivision, which revealed the estimated remaining service life ranges from 0 to 7 years; and

WHEREAS, the replacement of approximately 21,000 linear feet of primarily 4” and 6” diameter asbestos cement pipes is estimated to cost \$7.5 million, including design, permitting and construction; and

WHEREAS, the County desires to make an application for funding through the Drinking Water State Revolving Fund (DWSRF) administered by the Virginia Department of Health (VDH); and

WHEREAS, an award of funding could be dependent on a County match or reimbursement of loan funds; and should the County not have sufficient funds for the match requirement or repayment of a loan, the Board could decline the award.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 14th day of February, 2023, hereby supports the replacement of the aged water lines in the Beechwood Manor and authorizes Staff to submit an application for funding through the Drinking Water State Revolving Fund (DWSRF) administered by the Virginia Department of Health (VDH).

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-4. Resolution; Awards of Contract and Authorization to Purchase (Emergency Communications Center Console and Related Equipment \$92,115.90). Police Chief Keith Early, stated that the Board of Supervisors approved an award of contract to L3Harris for a replacement Public Safety Radio System on November 26, 2019. The County engaged in Series 2017 and 2018 Borrowing for Radio System Replacement and related consulting services. Staff briefed the Board of available funds remaining in the Radio System Project budget / borrowings during the November 22, 2022 work session. Staff recommends a number of purchases that enhance the Radio System project and / or public safety operations. The Radio Project working group recommends the purchase of an additional console and related equipment in the Emergency Communications Center to provide a needed additional workstation. Additionally, the working group recommends replacing the wireless headset base stations for the six existing consoles within the Center, because the legacy equipment is no longer supported or sold. The items requested total \$92,115.90. Existing local and cooperative contracts are available for these purchases / quotes {HGACBuy for RussBassett; current County contract with L3Harris; State Contract VA-170418-RCV for Radio Communications of Virginia}. Sufficient funds are available to purchase the console and related equipment as part of the radio system project. Mr. Webb made a motion, seconded by Mr. Carmichael, to authorize the County Administrator to execute contracts (issue purchase orders) with RussBassett, L3Harris, Radio Communications of Virginia, Amazon.com and Dell totaling \$92,115.90 to purchase an additional ECC console and related equipment. Roll was called on the motion.

R-23-037

A-4.

RESOLUTION; AWARDS OF CONTRACT and AUTHORIZATION TO PURCHASE (EMERGENCY COMMUNICATIONS CENTER CONSOLE AND RELATED EQUIPMENT \$92,115.90)

WHEREAS, The purchase of an additional Emergency Communications Center console and related equipment is recommended by the Public Safety Radio project working group using Public Safety Radio System replacement borrowings, Bond Series 2017 and 2018, to provide a

needed additional Center workstation, and to replace wireless base stations at the six existing workstations; and

WHEREAS, Existing local and cooperative contracts are available for County use to purchase furnishings and equipment for the Emergency Communications Center workstation at a total cost not to exceed \$92,115.90 as follows

RussBassett – Console and Installation (HGACBuy)	\$20,756.18
L3Harris – Radio Console and Installation (existing County Contract)	\$56,792.73
Radio Communications of Virginia - 9-11 Non-Emergency Phone (State Contract VA-170418-RCV)	\$ 6,598.00
Amazon.com -Ultra-wide monitor (Omnia Contract)	\$ 1,000.00
Dell - CAD Computer (NASPO ValuePoint Contract)	\$ 3,500.00
Radio Communications of Virginia 9-11	\$ 3,468.99
TOTAL	\$92,115.90;

and

WHEREAS, Staff is requesting authorization for the County Administrator to enter into a contracts / issue purchase orders not to exceed a total of \$92,115.90 to RussBassett (\$20,756.18); L3Harris (\$56,792.73); Radio Communications of Virginia (\$6,598.00 and \$3,468.99); Amazon (\$1,000.00); and Dell (\$3,500.00) to move forward with the purchase of an additional Emergency Center console and related equipment, and to replace wireless base stations at six existing consoles.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 14^h day of February, 2023, hereby awards contracts and authorizes the purchase of an additional Emergency Center Console and related equipment, and to replace the wireless base stations at the six existing ECC workstations, for a cost not to exceed \$92,115.90, and authorizes the County Administrator to execute a contracts / issue purchase orders to RussBassett (\$20,756.18); L3Harris (\$56,792.73); Radio Communications of Virginia (\$6,598.00 and \$3,468.99); Amazon (\$1,000.00); and Dell (\$3,500.00).

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

In addition, Chief Early stated that he is looking for Board direction for a Middle Road Tower Site ISB cradlepoint (\$1,500), internet connectivity and security upgrades at the bay behind the Disputanta Library (\$11,875), and electrical upgrades to the ECC generator (\$19,205). The Board agreed that he should move forward with these requests to the County Administrator.

A-5. Resolution; Appropriation of Accumulated Snap Investment Interest and General Fund, Fund Balance to Replace Planned Debt Proceeds for FY2022 County Vehicle and School Bus Purchases (\$400,000 in Accumulated SNAP Investment Interest and \$412,000 In General Fund, Fund Balance). Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that the adopted FY2022 Budget included the purchase of vehicles of \$400,000 and school buses of \$412,000 with a borrowing / debt issuance as the funding source. County Administration’s initial plan was to include these vehicle purchases in a combined borrowing with the Courtroom renovation project. Current County Administration recommended use of fund balance for the courtroom renovation project rather than a borrowing. A borrowing was not completed for FY2022 vehicle purchases, and a funding source needs to be identified and appropriated to replace budgeted debt proceeds. Staff has identified accumulated SNAP investment earnings (interest) totaling \$400,000 that can be appropriated for County Public Safety and Other vehicle purchases from four bond series which included a vehicle purchase component. There is no such accumulated interest for school buses (\$412,000), and Staff recommends an appropriation from fund balance for FY2022 school bus purchases to replace debt proceeds as the funding source. Mr. Webb made a motion, seconded by Mr. Carmichael, to approve an appropriation of accumulated SNAP investment interest of \$400,000 (CIP Fund, Fund Balance) and an appropriation of General Fund, Fund Balance of \$412,000 for school buses. Roll was called on the motion.

A-5.

RESOLUTION; APPROPRIATION OF ACCUMULATED SNAP INVESTMENT INTEREST AND GENERAL FUND, FUND BALANCE TO REPLACE PLANNED DEBT PROCEEDS FOR FY2022 COUNTY VEHICLE AND SCHOOL BUS PURCHASES (\$400,000 IN ACCUMULATED SNAP INVESTMENT INTEREST AND \$412,000 IN GENERAL FUND, FUND BALANCE)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of February, 2023, does hereby authorize the following transfer of funds within the 2022-2023 Budget, such line items increased and decreased as follows:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Capital Improvement Fund (0311)</u>	
Revenues:	
Increase:	
0311-40-900-8208-399999 CIP Fund, Fund Balance (Accumulated SNAP Interest)	\$400,000.00*
0311-90-901-8207-399100 CIP Transfer from General Fund (Fund Balance)	\$412,000.00
Decrease:	
0311-40-900-8115-341401 CIP – Debt Proceeds	(\$812,000.00)
 <u>General Fund (0100)</u>	
Increase:	
Revenues:	
0100-40-900-8208-399999 General Fund, Fund Balance	\$412,000.00
Expenditures:	
0100-09-401-0917-49172 General Fund Transfer to CIP Fund	\$412,000.00

*SNAP Series and Amount
 Series 2017 - \$17,457.17
 Series 2018 - \$156,625.02
 Series 2019 - \$165,226.55
 Series 2019 Principal - \$11,144.95
 Series 2019 - \$49,546.31

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

A-6. Resolution Accepting the Tourism Agreement Between the County of Prince George and Participating Members for the 5 & Dime Trail. Mr. Yoti Jabri, Economic Development Director, stated that the Economic Development and Tourism Department is requesting approval of the Resolution accepting the Tourism Agreement between participating localities such as City of Hopewell, Virginia, Hopewell Downtown Partnership, Prince George County, Virginia, James City County, Virginia, Surry County, Virginia, and Charles City County, Virginia. Participating localities wish to set forth basic parameters of their relationship in the 5 & Dime Trail to further promote tourism assets along the trail. The 5 & Dime Trail is an exciting circular travel experience connecting Route 5 and Route 10 through the five participating localities. This Tourism Agreement sets forth a financial commitment of \$1,500 each year from the Tourism budget to continue and further promote the 5 & Dime Trail. Mrs. Waymack made a motion, seconded by Mr. Brown, to authorize the approval of the Resolution to enter into the Tourism Agreement to further tourism in Prince George County. Roll was called on the motion.

A-6.

RESOLUTION ACCEPTING THE TOURISM AGREEMENT BETWEEN THE COUNTY OF PRINCE GEORGE AND PARTICIPATING LOCALITIES

WHEREAS, the Tourism Agreement is among the City of Hopewell, Virginia, Hopewell Downtown Partnership, Prince George County, Virginia, James City County, Virginia, Surry County, Virginia, and Charles City County, Virginia, and all of which are hereinafter referred to as “Participating Localities,” and

WHEREAS, the Tourism Agreement will establish marketing and itineraries for visitors to explore the 5 & Dime Trail connecting Participating Localities, and

WHEREAS, the formation of this trail creates a vehicle to market businesses and assets together as a tourism destination, and

WHEREAS, the Participating Localities seek to pool their financial resources to promote local attractions and food and beverage along the 5 and Dime Trail throughout each of their respective jurisdictions; and

NOW, THEREFORE, BE IT RESOLVED, that the Prince George County Board of Supervisors accepts the Tourism Agreement on February 14, 2023 and that the County Administrator is directed to execute the Tourism Agreement between the Participating Localities.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

PUBLIC HEARINGS

P-1. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §§ 82-261 and 82-536 to Authorize the Board of Supervisors to Give a Refund to Property Owners for Unutilized Water and Wastewater Capacity after the Connection Fee is Paid. Mr. Frank Haltom, County Engineer, stated that Sections 82-261 and 82-536 state that refunds shall not be made for any unutilized water and wastewater capacity after connection fees have been credited to the property owner’s account when connecting new meters. The amendment to Sections 82-261 and 82-536 will allow the property owner that paid the connection fees a refund for unutilized water and wastewater capacity if the Board of Supervisors authorizes the refund by a resolution. Speculative buildings are common within industrial parks. To receive plan approval, the developer must provide the projected water and wastewater demands for the building, often before they have a tenant contracted to occupy the building. Some tenants have significantly larger demands than others that would occupy the same building. Should an initial tenant fail to take occupancy, the building owner would need to adjust (up fit) the building for a new tenant, whose water and wastewater demands could be much less. In these cases, the size of the water meter that serves the property would need to be reduced in order to accurately measure the water usage. It is the intent that a refund would only be applied should the initial tenant not occupy the space for which a connection fee was paid. If the space was occupied and a future tenant has less water and/or wastewater demands, a refund would not be warranted since the connection fee paid was warranted by the original tenant. Staff recommends the Board adopt the ordinance to amend and reenact the Code of Prince George County, Virginia, 2005, as amended, amending sections 82-261 and 82-536, and 82-53 authorizing the Board of Supervisors to give a refund to property owners for unutilized water and wastewater capacity after the connection fee is paid. It is further recommended this ordinance be effective immediately upon adoption. Chairman Hunter opened the public hearing at 7:37 p.m. There was no one to speak and the public hearing was closed. Mr. Webb asked who would incur the costs while swapping the meters out. Mr. Haltom stated that any costs would be passed on to the developer. Mr. Brown made a motion, seconded by Mrs. Waymack to approve an Ordinance authorizing the Board of Supervisors to give a refund for unutilized water and wastewater capacity to property owners that paid the original connection fee after the connection fee is paid. Roll was called on the motion.

P-1.

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY AMENDING § 82-261 AND § 82-536 TO AUTHORIZE THE BOARD OF SUPERVISORS TO GIVE A REFUND TO PROPERTY OWNERS FOR UNUTILIZED WATER AND WASTEWATER CAPACITY AFTER THE CONNECTION FEE IS PAID.

BE IT ORDAINED by the Board of Supervisors of Prince George County:
 (1) That *The Code of the County of Prince George, Virginia, 2005, as amended, is amended by amending § 82-261 and § 82-536 as follows:*

CHAPTER 82 UTILITIES
 ARTICLE II. – WATER SERVICE
 DIVISION 8. – FEES AND CHARGES

Sec. 82-261. - Connection charge schedule.

(a) For residential customers using a standard three-quarter inch service pipe and a five-eighths inch meter, the connection fee shall be \$4,000.00. Connection fees for meters larger than five-eighths inch shall be in accordance with subsection (b) of this section.

(b) Connection fees for customers requiring ten-inch or smaller meters shall be based upon the installed meter size according to the following schedule:

EXPAND

Meter Size	Connection Fee
5/8"	\$4,000.00
3/4"	4,000.00
1"	11,230.00
1½"	23,420.00
2"	38,670.00
3"	80,840.00
4"	133,610.00
6"	259,930.00
8"	559,970.00
10"	839,960.00

Connection fees for customers requiring larger than ten-inch meters shall be determined on a case by case basis and established by contract, but in no case shall be less than the capacity fee for a ten-inch meter.

For meter sizes ten-inch and smaller, if an existing customer desires to redevelop and replace an existing meter with a single or multiple meters, the value of the connection fee associated with the existing meter shall be determined based on the fee schedule above and credited for use on the property. For customers with meters larger than ten inches, the property will be credited the value of a ten-inch meter connection fee unless documentation of payment of a greater connection fee is provided, in which case the connection fee credited shall be the actual

amount paid. Once a connection fee has been credited to a property, the amount of the credit is fixed and available for use on the property. **The Board of Supervisors may, by resolution, authorize refunds for unutilized amounts, but the refund shall only be made to the property owner that paid the original connection fee.** ~~Refunds shall not be made for any unutilized amount.~~

Notes:

1. For single-family dwellings served by a private water supply at the time a newly constructed utility line is completed, a discount in the list connection charges may be offered, subject to the conditions of [section 82-110](#).
2. Developer-installed charge shall be assessed for each single-family residential unit, as defined in [section 82-31](#), included in the development connecting to a line installed by the developer or any subsequent owner of the lot or premises within the development. Commercial or industrial uses included in any development shall be assessed at the charges listed in the schedule. Developer-installed connection charges shall be subject to the credits provided for in [section 82-73](#).
3. If the service connection has not been installed during the initial construction, the lot owner would be responsible for the installation costs as well as the connection fee listed.

ARTICLE III. WASTEWATER SERVICE
DIVISION 6. – FEES AND CHARGES

Sec. 82-536. - Connection charge schedule.

The following schedule of charges shall apply for the connection of an applicant's premises to the public utility system, in accordance with all applicable provisions of this article:

Meter Size	Connection Fee
5/8"	\$5,000.00
3/4"	5,000.00
1"	12,500.00
1½"	25,000.00
2"	40,000.00
3"	87,500.00
4"	155,000.00
6"	325,000.00
8"	700,000.00
10"	1,049,670.00

(2)

Connection fees for customers requiring larger than ten-inch meters shall be determined on a case by case basis and established by contract, but in no case shall be less than the capacity fee for a ten-inch meter.

For meter sizes ten-inch and smaller, if an existing customer desires to redevelop and replace an existing meter with a single or multiple meters, the value of the connection fee associated with the existing meter shall be determined based on the fee schedule above and credited for

use on the property. For customers with meters larger than ten inches, the property will be credited the value of a ten-inch meter connection fee unless documentation of payment of a greater connection fee is provided, in which case the connection fee credited shall be the actual amount paid. Once a connection fee has been credited to a property, the amount of the credit is fixed and available for use on the property. **The Board of Supervisors may, by resolution, authorize refunds for unutilized amounts, but the refund shall only be made to the property owner that paid the original connection fee.** ~~Refunds shall not be made for any unutilized amount.~~

Notes:

1. For single-family dwellings served by a private wastewater disposal system at the time a newly constructed utility line is completed, a discount in the listed connection charges may be offered, subject to the conditions of [section 82-429](#).
2. Developer-installed charge shall be assessed for each single-family residential unit, as defined in [section 82-351](#), included in the development connecting to a line installed by the developer or any subsequent owner of each lot or premises within the development. Commercial or industrial uses included in any development shall be assessed at the charges listed in the schedule. Developer-installed connection charges shall be subject to the credits provided for in [section 82-393](#).
3. If the service connection has not been installed during the initial construction, the lot owner would be responsible for the installation costs as well as the connection fee listed.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

P-2. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Enacting §74-200 to Clarify that Any Organization that Claims Exemption by Classification for a Real Estate Parcel Shall Make the Request on Forms Both Supplied and Reviewed by the County Assessor. Mr. Dan Whitten, County Attorney, stated that enacting Section 74-200 will allow organizations that claim exemption by classification for a real estate parcel pursuant to Article X, Section 6(a)(1) through (4) of the Virginia Constitution, or pursuant to Code of Virginia § 58.1-3606, or pursuant to Article 3 of Chapter 36 of Title 58.1 of the Code of Virginia (Code of Virginia § 58.1-3609 et seq.) to make the request on forms supplied and reviewed by the County Assessor. If approved, the exemption will take effect on the date of the application. Chairman Hunter opened the public hearing at 7:40 p.m. There was no one to speak and the public hearing was closed. Mrs. Waymack made a motion, seconded by Mr. Brown, to approve an Ordinance clarifying that any organization that claims exemption by classification for a real estate parcel shall make the request on forms both supplied and reviewed by the County Assessor. Roll was called on the motion.

O-23-03

P-2.

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY ENACTING § 74-200 TO CLARIFY THAT ANY ORGANIZATION THAT CLAIMS EXEMPTION BY CLASSIFICATION FOR A REAL ESTATE PARCEL SHALL MAKE THE REQUEST ON FORMS BOTH SUPPLIED AND REVIEWED BY THE COUNTY ASSESSOR

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 enacting § 74-200 as follows:*

CHAPTER 74 TAXATION
Article VII. REAL PROPERTY TAX GENERALLY
DIVISION 1. – GENERALLY

Sec. 74-200 - Exemption by classification.

Any organization that claims exemption by classification for a real estate parcel pursuant to Article X, Section 6(a)(1) through (4) of the Virginia Constitution, or pursuant to Code of Virginia § 58.1-3606, or pursuant to Article 3 of Chapter 36 of Title 58.1 of the Code of Virginia (Code of Virginia § 58.1-3609 et seq.) shall make their request on forms supplied by the county assessor. The county assessor shall review the request and determine if the organization qualifies for exemption by classification. Approved exemptions shall take effect from the date of application.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

P-3. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Enacting §74-199 to Authorize the Abatement of Tax Levies on Buildings which are Razed, Destroyed or Damaged. Mr. Dan Whitten, County Attorney, stated that enacting Section 74-199 will allow the abatement of tax levies on buildings razed, destroyed or damaged by a fortuitous happening beyond the control of the owner. The value of the building will have to decrease by more than \$500. The destruction of the building will have to render the building unfit for use and occupancy for 30 days or more within a fiscal year. The owner will have to apply for such abatement within 6 months of the destruction. The tax will be pro-rated according to the portion of the year the building was fit for use. Chairman Hunter opened the public hearing at 7:43 p.m. There was no one to speak and the public hearing was closed. Mr. Webb made a motion, seconded by Mr. Carmichael, to approve an Ordinance authorizing abatement of tax levies on buildings which are razed, destroyed or damaged. Roll was called on the motion.

O-23-04

P-3.

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF
PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY ENACTING § 74-199
TO AUTHORIZE THE ABATEMENT OF TAX LEVIES ON BUILDINGS WHICH
ARE RAZED, DESTROYED OR DAMAGED

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 enacting § 74-199 as follows:*

CHAPTER 74 TAXATION
Article VII. REAL PROPERTY TAX GENERALLY
DIVISION 1. – GENERALLY

Sec. 74-199 - Abatement of levies on buildings razed, destroyed or damaged.

The tax levies on buildings which are razed, destroyed or damaged by a fortuitous happening beyond the control of the owner shall be abated. No such abatement, however, shall be allowed if the destruction or damage to such building shall decrease the value thereof by less than five hundred dollars (\$500.00). No such abatement shall be allowed unless the destruction or damage renders the building unfit for use and occupancy for thirty (30) days or more during the fiscal year. The tax on such razed, destroyed or damaged building shall be computed according to the ratio which the portion of the fiscal year such building was fit for use, occupancy and enjoyment bears to the entire fiscal year. Application for such abatement shall be made by or on behalf of the owner of the building within six (6) months of the date on which the building was razed, destroyed or damaged.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

P-4. Public Hearing; Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §74-198 to Change the Dates Related to the Assessment of New Buildings Substantially Completed. Mr. Dan Whitten, County Attorney, stated that Section 74-198 states buildings substantially completed or fit for use and occupancy prior to November 1 of the year of completion shall be assessed by the assessor. This date for assessments is based on a calendar tax year. Prince George County has adopted a fiscal tax year. Virginia Code Section 58.1-3010 provides that dates in the Code relative to taxes should be interpreted according to the fiscal tax year. The amendment to Section 74-198 will adjust dates to the fiscal tax year. Chairman Hunter opened the public hearing at 7:46 p.m. There was no one to speak and the public hearing was closed. Mrs. Waymack made a motion, seconded by Mr. Brown, to approve an Ordinance changing dates related to the assessment of new buildings substantially completed. Roll was called on the motion.

O-23-05

P-4.

ORDINANCE TO AMEND § 74-198 OF “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, TO CHANGE THE DATES RELATED TO THE ASSESSMENT OF NEW BUILDINGS SUBSTANTIALLY COMPLETED

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

- (1) *That § 74-198 of The Code of the County of Prince George, Virginia, 2005, as amended, is amended as follows:*

CHAPTER 74 TAXATION

Article VII. REAL PROPERTY TAX GENERALLY

DIVISION 1. – GENERALLY

Sec. 74-198 Assessment of new buildings substantially completed.

In accordance with Code of Virginia, § 58.1-3292, all new buildings substantially completed or fit for use and occupancy prior to ~~November 1~~ **May 1** of the year of completion shall be assessed by the assessor when such building is so completed or fit for use and occupancy. No partial assessment as provided herein shall become effective until information as to the date and amount of such assessment is recorded in the office of the treasurer and made available for public inspection. The taxes on any such new building for that year shall be the sum of (i) the tax upon the assessment of the completed building computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year, and (ii) the taxes upon the assessment of such new building as it existed on ~~January 1~~ **July 1** of that assessment year, computed according to the ratio which the portion of the year such building was not substantially completed or fit for use and occupancy bears to the entire year. With respect to any assessment made under this section after September 1 of any year, the penalty for nonpayment by ~~December 5~~ **June 5** provided in section 74-1 shall be extended to ~~February 5~~ **April 5** of the succeeding year.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

P-5. Public Hearing; REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is

identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses. Mr. Tim Graves, Planner, stated that this request is to conditionally rezone approximately 12.18 acres from M-1, Limited Industrial to M-2, General Industrial in order to have existing and future land uses be consistent with the Zoning Ordinance. Since 1981, industrial uses related to trucking and truck repair and maintenance have existed on the subject properties within the Harvest Road Industrial Park located off Prince George Drive (Route 156). The current zoning of the properties is M-1, Limited Residential. However, the appropriate zoning for these uses is M-2, General Industrial. The applicants (who own most of the lots in the industrial park) wish to have the existing tenants and any future industrial users be in conformance/compliance with County's Zoning regulations. Therefore, they are requesting a rezoning from M-1 to M-2. The owners have stated that no new businesses will be locating in the Harvest Road Industrial Park at this time. So there will be no increase in traffic, no disturbance of land and no increase in noise. The proposed rezoning is consistent with the Comprehensive Plan because The Future Land Use Map calls for Industrial Uses in this area. There appears to be a commercial designation on one (1) of the lots in question but a rezoning to M-2, General Industrial is justified because the property has been used for industrial purposes over many years. Any new tenants or owners will be subject to current requirements. The Virginia Department of Transportation, Southern Region Land Development Office has reviewed the rezoning application dated 8-22-22 received at the Petersburg Residency on 10-12-22 and is recommending that the County require trip generation data be submitted. VDOT also suggests that the County require the submission of turn lane warrant analyses for the existing entrance road. It is likely that the existing uses alone would warrant a right and/or left turn lane from SR 156. This is resolved because the applicants removed the undeveloped parcel 240(0A)00-069-0 from their rezoning request. With the removal of the vacant lot, there will not be any new development or additional trips generated if this request is approved. Therefore, there is no need for a turn lane analysis at this time. The existing entrance serving the property does not meet VDOT's current standards for commercial entrances on roads with AADT in excess of 5,000 VPD. Consideration should be given to requiring repairs or improvements to the commercial entrance serving the parcels in this zoning case to bring it into compliance with current VDOT standards. This is resolved because the applicants have voluntarily proffered to repave the first 15-20 feet of the existing commercial entrance. It appears the parcels are all accessed by a private road. VDOT recommends that a road and entrance maintenance agreement be required in conjunction with the proposed rezoning case that binds all users to the continued maintenance of the commercial entrance and private road. The applicants have not proffered a road maintenance agreement, however they have proffered to repave the entrance. Staff finds this to be adequate for approval of this request. Parcel 240(0A)00-069-0 does not appear to have access to Harvest Road or Anguilla Road. Access to this parcel will be restricted to a right-in/right-out entrance as there is not sufficient spacing between Harvest Road and Anguilla Road for a full access commercial entrance that meets VDOT's Access Management spacing standards. 470' is required between full access entrances on a road with a functional classification of minor arterial and a 45 MPH speed limit. An exception can be requested for entrances that do not meet spacing standards, but must be approved by the Richmond District TLUD. This is resolved because the applicants removed the undeveloped parcel 240(0A)00-069-0 from their rezoning request. Staff notified adjacent property owners by mailing prior to the public hearing. Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing. No comments from the community were received prior to finalizing this report. Staff and Planning Commission recommends approval, subject to the applicant's proffered conditions. The following uses will not be permitted on the Property: Blacksmith shops; - Sawmills and planing mills; - Brick manufacture; Boiler shops; Meat, poultry and fish processing; Conservation areas; Game preserves; Agriculture. The Applicants have proffered to repave the first 15-20 feet of the Harvest Road commercial entrance off Route 156 (Prince George Drive). Mr. Webb stated that he used to drive trucks for the owner's father and those trucks have been there a long time and this needs to be brought into compliance. Chairman Hunter opened the public hearing at 8:00 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 rezoning Request (RZ-22-02) of Jeff Oakley, Robert Forehand, Jr., and Buckingham Pines, LLC to conditionally rezone approximately 12.18 acres from M-1 Light Industrial to M-2 General Industrial in order to have the zoning consistent with existing and future land uses located along Harvest Road and further identified as Tax Parcels 240(0A)00-69-A,B,F,G,K,L & M subject to the proffered conditions. Roll was called on the motion.

P-5.

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to have existing and future land uses be consistent with the Zoning Ordinance Regulations. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-22-02 is granted as an amendment to the official zoning map; and

The Property, known as Tax Maps # 240(0A)00-069-A, B, F, G, K, L, and M, consisting of 12.18 acres (as illustrated on maps in the staff report provided to the Board of Supervisors), is hereby rezoned from M-1, Limited Industrial District to M-2, General Industrial District; and

The Owner in this zoning case, pursuant to §15.2 2303 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Prince George County, for themselves and their successors or assigns, proffer that the Property will be developed in accordance with the following conditions voluntarily agreed to by the Applicant **in proffer statements dated August 10, 2022 and December 14, 2022:**

1. ~~The use of the Property shall be subject to, unless otherwise excluded or limited by these proffers, the uses and development standards permitted in the M-2 (General Industrial) Zoning District, as stipulated in the current adopted County of Prince George Zoning Ordinance.~~ The following uses will not be permitted upon the Property:
 - 1) Blacksmith shops.
 - 2) Sawmills and planing mills.
 - 3) Brick manufacture.
 - 4) Boiler shops.
 - 5) Meat, poultry and fish processing.
 - 6) Conservation areas.
 - 7) Game preserves.
 - 8) **Agriculture.**
2. ~~The following development standards shall be applicable to the Property: The first 15-20 feet of the Harvest Road commercial entrance off Route 156 (Prince George Drive) will be repaved.~~ **The owners of the rezoned property shall re-pave the entrance at Harvest Drive and Prince George Drive. The extent of the repaving will cover an area 15-20 feet in length and 25 feet into Harvest Drive.**

~~Additional development standard shall be applicable to the subject properties:~~

3. ~~Any new businesses or expansions of existing businesses will require trip generation data and a turn warrant analysis at the time of site plan submittal.~~

Adopted on February 14, 2023 and becoming effective immediately.

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

P-6. Public Hearing; SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in

size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses. Mr. Tim Graves, Planner, stated that the applicants would like to start a dog breeding program as a business at their home. In order for this to be permitted, they are requesting a Special Exception for an Animal Boarding Place. The property is located at 10608 Walton Lake Road in a Residential Agricultural (R-A) zoning district. The applicants already have an approved kennel license for 5 adult Labrador Retrievers as pets. The applicants submitted a preliminary application identified as # PSE-22-12 on August 8, 2022 and received a comment letter from Staff. On October 6, 2022 they submitted the formal application. Based on the application materials and subsequent discussions, the applicants are currently approved for a kennel license for 5 adult Labrador Retrievers as pets. They would like to start a breeding program as a business, with a focus on providing service dogs for disabled veterans. They plan to relocate two existing sheds and the existing kennels toward the front of the property. They will whelp (birth) the puppies primarily within the two sheds to be relocated, though some whelping may occur indoors within the home. They will install a fence around the kennel areas and between the kennels and the road for security and visual screening purposes. They also plan to install French drains and concrete slabs to assist in keeping areas dry and clean. They may possibly place a new shed in the front part of the property to be used as a reception area. They will provide onsite parking in the driveway or in the front of the lot and have a small sign for advertising the business at the front of the property. They want to maintain 7 adult dogs (2 breedable males and 3-4 breedable females) that will produce an average of 4-6 litters per year with 5-10 puppies per litter (avg. 7). They will make puppies available for adoption/purchase when they are 6-12 weeks old, with most adopted at around 8 weeks old. There will be a limit of 12 weeks before adoption and a limit of 20 puppies on the property at one time. They will limit customer visits to 1 family at a time by appointment, mostly on weekends, between the hours of 9am-6pm. They have various means to cut down on barking. Any dog that is a nuisance would be removed from the breeding program and adopted out. They will use bark collars only if needed in the event of a nuisance and only on dogs over 1 year old. For dogs under 1 year old they have other means to keep puppies quiet if needed, such as tone machines, vibration collars, etc. They will clean and dispose of waste regularly, and use a solution to clean the kennel areas, groom dogs regularly, etc. to reduce or eliminate pests and odor. They have spoken with neighbors and have not heard any concerns. In addition, they have spoken with Animal Services and noted their recommendations. There are examples of similar Special Exceptions that have been granted in the past. The recommended conditions are intended to ensure the proposed use is compatible with the surrounding neighborhood and the continued residential uses that are planned in the neighborhood for the future. In application materials, the applicants stated that they discussed their plans with all surrounding property owners immediately surrounding their property on their side of Walton Lake Road. They stated that none of the owners they spoke with had any issue with the dogs they already own, nor their full plans as laid out in the application. There is no house anywhere in the vicinity on the opposite side of the road. All sheds are considered accessory buildings in relation to the single-family dwelling and therefore need to meet setback requirements for accessory buildings, specifically at least 75 feet from the front property line along Walton Lake Road and at least 5 feet from any side property line. If the applicants relocate the existing shed or to place a new shed on the property, a building/zoning permit is required for each proposed building location or relocation. There is a floodplain on the property. Any new or relocated accessory buildings will be required to be located outside of the floodplain or raised above the base flood elevation. The Planning Commission recommended Approval, subject to the recommended conditions in the draft ordinance. The vote on the recommendation was 7-0 after holding a public hearing on January 26, 2023. Mrs. Waymack stated if there are four breedable females, that would be a total of 40 puppies at one time. The applicant stated they would not have more than 20 puppies on the property at one time. The dogs will be alternated and only breed them once a year each. Mrs. Waymack asked what they will do if the puppies are not sold. She stated that they would make donations to organizations for service dogs for disabled veterans. Chairman Hunter opened the public hearing at 8:18 p.m. There was no one to speak and the public hearing was closed. While no one spoke for or against the applicant at the public hearing, Mr. Brown stated that he has received numerous emails in opposition to this request due to concerns. Mr. Carmichael stated that he too has received complaints. Chairman Hunter stated that he also received an email with the concern of noise and so did Mrs. Waymack. Out of consideration to the landowners, Mr. Brown suggested that they postpone this matter to March 14 to allow the Planning Department to come to some type of resolution with the applicant. The Board agreed. Mr. Brown made a motion, seconded by Mr. Carmichael, to postpone this matter to March 14. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

ORDER OF CONSENSUS (cont'd)

A-8. Resolution; Capital Improvement Project Fund Budget Transfer and Appropriation of Series 2019 SNAP Interest Earnings (Transfer of \$68,589.96 from Route 156 CIP Project Budget to Food Lion / Route 460 CIP Project and Appropriation of \$56,969 in SNAP Interest Earnings to Food Lion / Route 460 CIP Project Budget).

Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that the Board authorized the issuance of Series 2019 Bonds to complete multiple capital projects including two utility projects. The utility projects were 1) a water line extension along Route 156 and 2) Food Lion Water System Improvements and a waterline extension along Route 460. The Route 156 Waterline Extension project is complete, with only retainage owed. That CIP project budget will have \$68,589.96 remaining in the project budget following the payment of retainage. The Route 460 Waterline Extension and Food Lion Water System Improvements project is ongoing, but Staff has finalized project obligations and expenditure estimates, and the project expenses will exceed the project budget by \$125,559. Staff is recommending a \$68,589.96 budget transfer from the Route 156 Waterline Extension project to the Route 460 Waterline Extension and Food Lion Water System Improvements project. Following this transfer, if approved, there will be a budget deficit of \$56,969. Accumulated SNAP interest is available to cover this project deficit (accumulated balance is \$222,195.55 prior to this request). Mr. Webb made a motion, seconded by Mrs. Waymack, to approve a \$68,589.96 transfer of budgeted funds within the county-wide CIP fund for Utility projects and appropriation of \$56,969 in accumulated Series 2019 SNAP interest proceeds. Roll was called on the motion.

R-23-040

A-8.

RESOLUTION; CAPITAL IMPROVEMENT PROJECT FUND BUDGET TRANSFER AND APPROPRIATION OF SERIES 2019 SNAP INTEREST EARNINGS (TRANSFER OF \$68,589.96 FROM ROUTE 156 CIP PROJECT BUDGET TO FOOD LION / ROUTE 460 CIP PROJECT AND APPROPRIATION OF \$56,969 IN SNAP INTEREST EARNINGS TO FOOD LION / ROUTE 460 CIP PROJECT BUDGET)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of February, 2023, does hereby authorize the following transfer of funds within the 2022-2023 Budget, such line items increased and decreased as follows:

FUND/ORGANIZATION

AMOUNT

Capital Improvement Fund (0311)

Expenditures:

Increase:

0311-04-104-3180-48406 CIP – Food Lion Upgrades / Route 460 Waterline Project \$68,589.96

Decrease:

0311-04-104-3179-48405 CIP – Route 156 Waterline Project (\$68,589.96)

Series 2019 SNAP Interest Earning Appropriation:

Revenues:

0311-40-900-8208-399999 CIP Fund, Fund Balance (Accumulated SNAP Interest) \$56,969.00

Expenditures:

0311-04-104-3180-48406 CIP – Food Lion Upgrades / Route 460 Waterline Project \$56,969.00

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-9. Consideration of Appointments – Board, Commissions, Committees, Authorities:
Resolution of Appointment(s):**

A. Resolution; One Appointment (Interim Term) – Recreation Advisory Commission.
Mr. Carmichael made a motion, seconded by Mrs. Waymack, to appoint Mr. Larry Heidorn to the Recreation Advisory Commission. Roll was called on the motion.

R-23-041

A-9A.

**RESOLUTION; ONE APPOINTMENT; (INTERIM TERM) – RECREATION
ADVISORY COMMISSION**

WHEREAS, There is a vacant term on the Prince George County Recreation Advisory Commission.

NOW THEREFORE, BE RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of February, 2023 does hereby appoint Mr. Larry Heidorn to serve an interim term effective immediately and ending on June 30, 2023.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

ADJOURNMENT. Mr. Carmichael moved, seconded by Mrs. Waymack to adjourn to Wednesday, February 22 for a pre-budget work session. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

The meeting adjourned at 8:29 p.m.

[Draft Minutes prepared February 17, 2023 for consideration on February 24, 2023; adopted by unanimous vote.]

Donald R. Hunter
Chairman, Board of Supervisors

Jeffrey D. Stoke
County Administrator