

AGENDA

Board of Supervisors
County of Prince George, Virginia
Regular Meeting: July 11, 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 July 11 may be entered into the meeting minutes if desired by the citizen.

CALL TO ORDER

Roll Call

CLOSED SESSION

WORK SESSION

Broadband Update – Yoti Jabri, Economic Development Director
Stormwater Discussion – Frank Haltom, County Engineer [2]

INVOCATION

PLEDGE OF ALLEGIANCE TO U.S. FLAG

PUBLIC COMMENTS

ADOPTION OF AGENDA [1]

ORDER OF CONSENSUS

- C-1. Draft Minutes – June 13, 2023 Regular Meeting. [3]
- C-2. Resolution; Commendation; Tamie Perryman, Administrative Support Specialist III; Service to Prince George County. [4]
- C-3. Resolution; Commendation; John Kuykendall, Police Officer; Service to Prince George County. [5]
- C-4. Resolution; Appropriation (\$30,919 State Department of Social Services Local Overtime Surge Funds Medicaid Unwinding). (Bertha Judge, Social Services Director) [6]
- C-5. Authorization for the Police Department to Apply for \$12,500.00 Of Virginia State Police, Help Eliminate Auto Theft (HEAT), Funds. (Chief Keith Early) [7]

PRESENTATIONS

- S-1. Resolution; Commendation; Tamie Perryman, Administrative Support Specialist III; Service to Prince George County.
- S-2. Resolution; Commendation; John Kuykendall, Police Officer; Service to Prince George County.

SUPERVISORS' COMMENTS

COUNTY ADMINISTRATOR'S COMMENTS

REPORTS

- VDOT** – Crystal Smith [8]

POSTPONED ITEMS

- T-1. Resolution; Appointment (One Member) Appomattox Regional Library Board. [9]

ORDER OF BUSINESS

- A-1. Resolution; Appointment of County Attorney. (Corrie Hurt, Human Resources Director) [10]
- A-2. Resolution; Request of Hopewell Parks and Recreation For Waiver of Permit Fees Associated with a Joint Fireworks Display in the Appomattox River, Identified as Tax Map 220(03)00-00d-1. (Charles Harrison, Interim Director of Community Development) [11]

- A-3. Resolution Accepting Easements for Waterline Extension to Route 10 Corridor Project. (Frank Haltom, County Engineer) [12]
- A-4. Resolution; Award of Contract and Authorization to Purchase in Building Solution for Enhanced Radio Coverage at J. E. J. Moore Middle School and Station 7 (Mobile Communications of America Not to Exceed \$78,703.29). (Chief Keith Early, Chad Bosserman) [13]
- A-5. Resolution; Award of Contract for the Purchase of GrayKey Mobile Forensics System, Related Equipment and Training to Panamerica Computers Inc. (Not to Exceed \$120,405.28). (Chief Keith Early and Betsy Drewry, Deputy County Administrator, Finance) [14]
- A-6. Resolution: Award of Contract to Asset Works for the Purchase of Fuel Focus (Not to Exceed \$394,763.04). (Betsy Drewry, Deputy County Administrator, Finance) [15]
- A-7. Resolution; Award of Contract to Furniture & Interiors by The Supply Room for the Purchase of Circuit Courtroom Furniture (Not to Exceed \$91,303.53). (Dean Simmons, General Services Director / Betsy Drewry, Deputy County Administrator, Finance) [16]

PUBLIC HEARINGS

- P-1. Public Hearing; REZONING RZ-23-06: Request of Floyd O. Powers to rezone 1.328 acres from General Industrial (M-2) to General Business (B-1) Zoning District. The purpose of the rezoning is to allow a meadery production facility and tasting room business. The subject property is located at 5108 Prince George Drive and is identified as Tax Map 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses. (Tim Graves, Planning Department) [17]
- P-2. Public Hearing; SPECIAL EXCEPTION SE-23-05: Request of Floyd O. Powers to permit “Wholesale and Processing” activities, pursuant to Prince George County Zoning Ordinance Section 90-393(1), and a “Tavern”, pursuant Section 90-393(12), within a General Business (B-1) Zoning District. The purpose of the request is to open a mead production facility and tasting room. The subject property is approximately 2.35 acres in size, located at 5108 Prince George Drive, and is identified as Tax Map Parcels 240(16)00-001-0 and 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses. (Tim Graves, Planning Department) [18]
- P-3. Public Hearing; Resolution Authorizing the Sale of County Owned Properties Located in River’s Edge Subdivision on Buxton Street. (Andrea Erard, Interim County Attorney) [19]

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.princegeorgecountyva.gov.**

MINUTES
Board of Supervisors
County of Prince George, Virginia

July 11, 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 July 11, 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]
Alan R. Carmichael	Absent
Marlene J. Waymack	Present

Also present: Jeff Stoke, County Administrator; Betsy Drewry, Deputy County Administrator; and Andrea Erard, Interim County Attorney.

By telephone, from his home in Prince George County, Mr. Floyd Brown stated that he would like to participate in the meeting by telephone because of a death in his family.

Mr. Webb made a motion, seconded by Mrs. Waymack, to authorize Mr. Floyd M. Brown, Jr. to participate electronically in the meeting. Roll was called on the motion.

The roll call vote was:

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

CLOSED SESSION

Mrs. Waymack made a motion, seconded by Mr. Webb, that the Board convene a closed session pursuant to Virginia Code section 2.2-3711(A)(1) – Discussion or consideration of candidates seeking appointment to the Library Board; and Virginia Code section 2.2-3711(A)(5) for the discussion concerning a prospective business or industry because no previous announcement has been made of the business' or industry's interest in locating its facilities in Prince George County – manufacturing/processing facility; and Virginia Code section 2.2-3711(A)(1) for the discussion

or consideration of the performance of the Interim County Attorney. Roll was called on the motion.

The roll call vote was:

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

Certification of Closed Session. At 5:59 p.m., Mr. Webb made a motion, seconded by Mrs. Waymack, to reconvene in open session and to certify that only the matters that were identified in the motion to go into the closed meeting were heard discussed or considered. Roll was called on the motion.

On roll call the vote to certify was:

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

WORK SESSION

Broadband Update – Mr. Yoti Jabri, Economic Development and Tourism Director, gave an update on the Broadband project in Prince George County. One of the County’s Strategic Goals approved in September 2022 under Infrastructure is to have consistent high-speed internet. High-speed internet is 100Mbps and provided throughout the County by the Prince George Electric Co-Op, Dominion Energy, and Comcast. The goal is to assist in expanding broadband internet to all citizens and businesses within the County. The last update was given to the Board through a Strategic Plan update on April 25th. Prince George County was one of the first in the Commonwealth to partner with a local cooperative in filling the areas that did not have any broadband. The first phase of fiber to the home was in 2017 connecting 500 homes. In 2020, there was a second phase connecting 500 more homes. In 2022, Ruralband received Connect America Funding and Rural Digital Opportunity Funding to almost cover their entire network. The unserved and underserved units are within some Dominion Energy areas in the County and 2,650 are available for expansion. This out of the 13,500 unit that basically equals around 20% of the County being either unserved or underserved. The Virginia Telecommunication Initiative (VATI) under the Department of Housing and Community Development extends broadband service to currently unserved areas. VATI prepares communities to build, utilize, and capitalize on telecommunications infrastructure with the goal of creating strong, competitive communities. It allows government agencies to partner with private internet service providers to apply. For FY24, \$49 million has been allocated. VATI requires a 10% match from the internet service provider and a 10% match from the County. VATI takes into account Federal Communications Commission mapping and defines broadband as 100 Megabits per second (Mbps) download and 20 Megabits (Mbps) upload. For a wireline project, a proposed project area is considered eligible if 20% or fewer of serviceable units. If the County attempts to apply for funding in areas where there are units not eligible for funding through the VATI Program, there could be a possibility that a local internet service provider can challenge this. This is why the County has

now partnered with Ruralband and their broadband consultant to identify current service availability at each address within the new FCC mapping. They have encouraged citizens who do not have broadband internet to go on to the FCC website to show them how to challenge their findings and whether or not they have broadband internet and are available for funding. The total cost for this project is to be determined. There is a 10% match, which could come from Economic Development Unreserved Fund Balance. The Cameron Foundation could potentially help with 5% of the County match requirement. There is also a required 10% match from the internet service provider (Ruralband). The next steps are to determine VATI eligible areas and project costs. Staff will need Board approval to apply on August 8th, if VATI guidelines are released. The VATI application is typically due at the end of August each year and awards are announced in December. If funded, there will be a Broadband Agreement between the County, Ruralband and EDA. If we do not receive funding, the County will encourage internet service providers to apply for the Broadband Equity, Access, and Development (BEAD) program. Mr. Sarat Yellepeddi, the Co-Op's new president and Chief Executive Officer, further explained the challenge process and what they have experienced in other areas. They have been legally challenged by other local internet providers such as Comcast in both Dinwiddie and Isle of Wight Counties, which is a huge start-up cost to the citizens. Chairman Hunter stated that it sounds counter-productive just because of some line drawn on a federal map. Mr. Webb added that the citizen should have the right to choose. That is what is screwed up in this country.

Stormwater Discussion - Frank Haltom, County Engineer, talked about State Code requirements to Adopt a Virginia Stormwater Management Program (VSMP). A Virginia Erosion and Sediment Control Program (VESCP) is a program for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources. The Virginia Stormwater Management Program (VSMP) is a program established on or after July 1, 2014, to manage the quality and quantity of runoff resulting from any land-disturbing activity that (i) disturbs one acre or more of land or (ii) disturbs less than one acre of land and is part of a larger common plan of development or sale that results in one acre or more of land disturbance. The Virginia Erosion and Stormwater Management Program (VESMP) is a program for the effective control of soil erosion and sediment deposition and the management of the quality and quantity of runoff resulting from land-disturbing activities to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources. These programs shall include, where applicable, such items as local ordinances, rules, policies and guidelines, technical materials, and requirements for plan review, permits and land-disturbance approvals, inspection, and enforcement. Each program emphasizes public safety and protection of local and state waterways, and waters of the US.

A Municipal Separate Storm Sewer System (MS4) refers to a system of structures (pipes, ditches...) designed to collect and convey stormwater through local streams and rivers and ultimately discharge it into waters of the U.S. Stormwater from an MS4 is regulated under the Federal Clean Water Act and the Virginia Stormwater Management Act to help protect natural waterways from pollutants – such as phosphorus, nitrogen and sediment. MS4s in Virginia are subject to all applicable requirements of the Virginia Stormwater Management Program (VSMP) Regulations and the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulations.

The VPDES permit requires permittees to develop and implement a Storm Water Management Program (SWMP) that must include pollution prevention measures, treatment or removal techniques, monitoring, use of legal authority, and other appropriate measures to control the quality of storm water discharged to the storm drains and thence to waters of the United States. Virginia Code §62.1-44.15:27. (Effective until July 1, 2024) Establishment of Virginia Stormwater Management Programs (VSMP) states that any locality that operates a regulated MS4 or that notifies the Department (DEQ) of its decision to participate in the establishment of a VSMP shall be required to adopt a VSMP for land-disturbing activities consistent with the provisions of this article according to a schedule set by the Department. The Department shall operate a VSMP on behalf of any locality that does not operate a regulated MS4 and that does not notify the Department, according to a schedule set by the Department, of its decision to participate in the establishment of a VSMP. A locality that decides not to establish a VSMP shall still comply with the requirements set forth in this article and attendant regulations as required to satisfy the stormwater flow rate capacity and velocity requirements set forth in the Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq.). Prince George County is not required to adopt a VSMP. DEQ currently operates the County's VSMP. Chapter 38 of County ordinance satisfies E&SC Law.

In 2016, the General Assembly adopted Bills that will eventually create the Virginia Erosion and Stormwater Management Act, which will combine and then supersede/replace the Virginia Stormwater Management Act and the Virginia Erosion and Sediment Control Law. § 62.1-44.15:27. (Effective July 1, 2024) Virginia Programs for Erosion Control and Stormwater Management provides that any locality that operates a regulated MS4 or that administers a VSMP as of July 1, 2017, shall be required to adopt and administer a Virginia Erosion and Stormwater Management Program (VESMP) consistent with the provisions of this article that regulates any land-disturbing activity that (i) disturbs 10,000 square feet or more or (ii) disturbs 2,500 square feet or more in an area of a locality designated as a Chesapeake Bay Preservation Area pursuant to the Chesapeake Bay Preservation Act. Prince George County neither operates a regulated MS4 nor administers a VSMP. Therefore, this does not apply.

Effective July 1, 2024, any locality that does not operate a regulated MS4 and for which the Department administers a VSMP as of July 1, 2017, shall choose one of the following options and shall notify the Department of its choice according to a process established by the Department: (1) Adopt and administer a VESMP consistent with the provisions of this article that regulates any land-disturbing activity that (i) disturbs 10,000 square feet or more or (ii) disturbs 2,500 square feet or more in an area of a locality designated as a Chesapeake Bay Preservation Area pursuant to the Chesapeake Bay Preservation Act; (2) Same as above, except that the Department shall provide the locality with review of the plan required by § 62.1-44.15:34 and provide a recommendation to the locality on the plan's compliance with the water quality and water quantity technical criteria; or (3) Adopt and administer a VESCP pursuant to Article 2.4 (§ 62.1-44.15:51 et seq.) that regulates any land-disturbing activity that (i) disturbs 10,000 square feet or more or (ii) disturbs 2,500 square feet or more in an area of a locality designated as a Chesapeake Bay Preservation Area pursuant to the Chesapeake Bay Preservation Act. The Board shall administer a VSMP on behalf of each VESCP authority. Prince George County will need to notify DEQ of its preference. In summary, The County is not required to

adopt a VSMP or VESMP. The County must notify DEQ by July 1, 2024 of its decision to operate a VESMP or have DEQ operate it.

Chapter 38 of County Ordinance addresses erosion and sediment control associated with land disturbing activities, which satisfies the stormwater flow rate capacity and velocity requirements set forth in the Erosion and Sediment Control Law. How does this information shape the County's Stormwater Program? A Stormwater Utility Fee was adopted in 2014 to fund the program. To date, the fee has focused primarily on erosion control and drainage projects. Drain pipes and ditches previously maintained by the state, along with easements with no assigned maintaining entity, are not being maintained adequately. There was an Evaluation of Drainage Outfalls, Final Report in December 2021. The Executive Summary of the report includes: "Unmaintained outfalls occurring on private property in the Commonwealth's counties have been of growing concern, specifically as a source of recurrent flooding and associated impacts. Consequently, the General Assembly, through Chapter 1289, Item 430M, of the 2020 Virginia Acts of Assembly, directed the Secretary of Transportation and the Secretary of Natural Resources to evaluate the scope of certain drainage outfalls across the Commonwealth and recommend cost-effective solutions and means by which to fund the maintenance of such outfalls (the "Study")." "Although the Study directs an evaluation of the scope of outfalls 'with no assigned maintaining entity,' the law prescribes that the entity responsible for maintenance is the owner of the land, or holder of a drainage easement, at the site of the outfall. Thus, in a strict legal sense, there are no outfalls without an assigned maintaining entity. There are, rather, outfalls that have not been adequately maintained by the assigned entities." "...it is important to review the legal obligations related to stormwater. Virginia follows the common law rule pertaining to stormwater, which 'is considered a common enemy that may be fended off by each landowner' without further responsibility or liability. (Norfolk & Western R. Co. v. Carter, 91 Va. 587, 591-93, (1895))." "...the modified common law rule, which has been well settled in Virginia for more than a century, stands for the proposition that the owner of the land upon which the outfall is located bears sole responsibility and liability for the outfall, including the maintenance thereof." "Thus, in a strict legal sense, while the Study directs an evaluation of the scope of outfalls lacking an assigned maintaining entity, the law prescribes that such assignment of maintenance responsibility rests with the land, or easement, owner. Despite this straightforward rule, however, confusion and historical developments have nevertheless resulted in a number of outfalls that are not properly maintained because such responsibility is unknown, unfunded or, due to historical local processes, inadequately deeded in the land records."

In summary, the County is not required to adopt a VSMP or VESMP. It must notify DEQ by July 1, 2024 of decision to operate a VESMP or have DEQ operate it. Chapter 38 of the County Ordinance addresses erosion and sediment control associated with land disturbing activities, which satisfies the stormwater flow rate capacity and velocity requirements set forth in the Erosion and Sediment Control Law. The law prescribes that such assignment of maintenance responsibility rests with the owner of the land, or owner of the easement. This raises the question as to whether the County should proceed with the Stormwater Utility Fee. Virginia Code § 15.2-2114. Regulation of stormwater stated that any locality, by ordinance, may establish a utility or enact a system of service charges to support a local stormwater management program consistent with Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 or any other state or federal regulation governing stormwater management. Additional Taxes vs Stormwater

Utility Fee and Service Charges - § 15.2-2114 provides localities the ability to adopt a Utility Fee in lieu of raising Taxes to fund the program. Taxes are imposed for revenue purposes - can be used for anything. Fees offset the cost of providing a service – must be used for a specified purpose and may not exceed the actual costs incurred. An argument for the utility fee includes the ability to charge tax-exempt properties that contribute to stormwater runoff. The County’s current Stormwater Utility Fees are Residential Rate: \$36/year, Commercial/Industrial: Less than 2 Acres - \$180/year, 2-5 Acres - \$240/year, more than 5 Acres - \$300/year. FY 2023 revenues from stormwater utility fee - \$490,000. Fees currently used to offset costs for drainage repairs and improvements. A capital borrowing of \$2,100,000, with a five-year repayment term in the fall of 2019 to accomplish various stormwater capital projects. Stormwater Utility Fee has not increased since adopted. Future rates will depend on the basis of selecting projects and the future need to maintain these projects. The County implemented the Stormwater Utility Fee in 2014, primarily to correct drainage and erosion problems on County property, County easements, or easements with no assigned maintaining entity. Mr. Haltom discussed recommended criteria for Stormwater project to qualify for County funding. The resident must meet ALL of the following conditions, as applicable. Must correct a problem that would otherwise jeopardize safety of the general public, or cause the degradation of local streams or rivers. Must have an existing public easement in place; or an easement determined to have no assigned entity responsible for maintenance. Source of drainage originates solely from public rights-of-way or easements. Should an easement not be in place or lack an assigned entity responsible for maintenance, property owner(s) upon which the repair or improvement occurs must agree to accept the responsibility for any future maintenance or repairs. No assistance is recommended for ANY of the following situations: Improvement or repair benefits only private properties impacted by the problem and has no public benefit. Condition of an easement or structure on private property is due to the failure of the property owner to properly maintain the property. No easement in place, thereby is the responsibility of the landowner. The recommended criteria will limit the quantity of projects utilizing the Stormwater Utility Fee, allowing the rate to remain steady and available for critical projects. Criteria is also designed to prevent the need of a future Public Works for the continued maintenance of drainage easements. Although state code permits the use of the fee to fund these projects, projects are not a requirement of any DEQ program. If the County chooses, or DEQ eventually requires, to become a VESMP, the fee could be needed to fund required items such as “local ordinances, rules, policies and guidelines, technical materials, and requirements for plan review, permits and land-disturbance approvals, inspection, and enforcement.” In lieu of using the Fee to fund projects, the County could offer assistance to landowners to obtain grants. Matching requirements would be the responsibility of the landowner. Some options would be to continue the existing program in its current form, which may require a future Public Works department for future maintenance activities. Continue existing program, with adopted criteria to limit the use of the Stormwater Utility Fee. This could include a program to assist landowners to fund improvements. Discontinue the program and the Stormwater Utility Fee until such a time the Board elects, or DEQ requires, to become a VESMP authority. This could not take effect prior to 2026. Requires the completion of existing projects and completing the terms of the capital borrowing.

Chairman Hunter asked the County Attorney if we are required to do something by law. Ms. Erard stated that because of Federal regulations requiring the Commonwealth of Virginia to do certain things, this, in turn, forces causing the state to implement those requirements for

localities. Mr. Webb stated that is the way it was originally presented to them. Mr. Haltom stated that all of this he has presented is based on the Virginia Management Stormwater Act and it closely follows the Federal Clean Water Act. Mr. Webb stated that the concern he has is that it was originally presented to him while he was on the Board that it was an and/or, but that you needed to do something. We have outfall ditches that we have had to address because of high water backing up. There are already projects out there, so at some point and time, they are going to have to be refurbished or maintained, to say the least since VDOT walked away from it. He stated that this is how that whole thing started. He stated that with an outfall ditch, it is kind of like an HOA Agreement over who is going to maintain it. Then you have the other citizens being impacted if the water is backing up on their property. He does not see that as a win win anyway you choose to go down that road. He stated that he does not have an answer for it, but he also does not think we can just choose not to do anything, not with all of the low-lying areas we have. Then we have been having all of these torrential rainfalls that have actually moved the stones out in the middle of the road. Mr. Haltom stated that there is no doubt there is going to be complications no matter how we move forward. He is not suggesting the County eliminate the fee. He is just giving the option if the Board so chooses. Per the law, we are not required to address it. Mr. Webb stated that it comes down to what is morally right. We are the ones with all of the information that the citizen is not going to have the knowledge of. Ms. Erard added that in the next 10 to 20 years, there will be enhanced stormwater requirements so we do not want to be playing catch up in the future. Mr. Webb agreed that would be costly. He recalls a time in the past when another locality requested help and their project grew by \$10.2 million on what DEQ required, which fell back on them. Mr. Haltom updated the Board on current stormwater projects. Cedar Creek Reach 2 and Cedar Creek Reach 5 should be complete in the winter of 2024. Birchett Estates Reach 1 Phase 1 is complete and is just being monitored. Birchett Estates Reach 1 Phase 2 should be done in the Fall 2025. Birchett Estates Reach 2 should be complete by Spring 2026 and Quebec Avenue and Perrin Road should be complete by Fall 2024. Mr. Webb asked why in the world do we not go the extra mile and put concrete in. Long term it would be less maintenance than it would be to go back and maintain a ditch that is lined with riff raff. Mr. Haltom stated that concrete speeds up runoff and riff raff and grass slows it down. Mr. Webb stated that there are ways to slow it down. Mr. Haltom stated that DEQ wants it to go back to its natural state. Mr. Webb stated that the more you expand, the more construction, roofs, asphalts, and parking lots kind of negates that. Mr. Haltom stated that he does not disagree.

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 being no one to speak, the public comment period was closed.

APPROVAL OF AGENDA. Item A-8 was added as a motion to appoint a Zoning Administrator. Mrs. Waymack made a motion, seconded by Mr. Webb, to adopt the agenda as amended with the addition of Item A-8. Roll was called on the motion.

The roll call vote was:

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

ORDER OF CONSENSUS. Mrs. Waymack made a motion, seconded by Mr. Webb, to adopt the Order of Consensus as presented. Roll was called on the motion.

C-1. Draft Minutes – June 13, 2023 Regular Meeting Minutes.

R-23-106

C-2.

RESOLUTION; COMMENDATION;
ADMINISTRATIVE SUPPORT SPECIALIST III, TAMIE M. PERRYMAN;
SERVICE TO PRINCE GEORGE COUNTY

WHEREAS Tamie Perryman was originally hired on January 28, 2005 as a Part Time Administrative Assistant in the Commonwealth’s Attorney Office; and

WHEREAS Tamie Perryman became a full time employee on July 1, 2005 and was reclassified to the position of Office Manager in the Commonwealth’s Attorney Office on December 16, 2007; and

WHEREAS Tamie Perryman briefly left employment in April 2011 and returned on June 16, 2011 as a part time temporary Office Assistant, working in various departments. She became a full time Office Associate II in the Police Department on August 16, 2014 and was promoted to Administrative Associate on October 1, 2014 and was reclassified to Administrative Support Specialist III on July 1, 2018, and remained in this capacity until she retired on June 30, 2023; and

WHEREAS with the significant evolution of administrative responsibilities within the Police Department, Mrs. Perryman quickly evolved from just “assisting the Chief” to supporting and assisting the operations of the entire Police Department; and

WHEREAS Mrs. Perryman took on a plethora of responsibilities, many of which did not fall under her job description. She handled citizen inquiries, directed resources, processed FOIA requests, updated all personnel files, managed the department website and calendar, crafted the annual, monthly and weekly reports, served as the liaison for payroll, and so much more; and

WHEREAS Mrs. Perryman was a “fixer”, and is referred to as the “Swiss army knife”, the “Mother hen”, and the “glue” that held everything together; and

WHEREAS Mrs. Perryman's teammates in the Police Department are very grateful for her dedication, her sincere care, and her love for her team and the entire community; and

WHEREAS throughout her remarkable career, spanning a combined total of more than 18 years, Tamie Perryman has served the citizens of Prince George County to the utmost of her ability, demonstrating commitment, integrity, and devotion in a manner bespeaking the dedication of a true public servant. Mrs. Perryman's institutional knowledge and administrative support will be sorely missed by the Police Department, the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11th day of July 2023 does hereby commend Tamie M. Perryman for completion of more than 18 years of service to the County and its citizens; and

BE IT FURTHER RESOLVED that this Board wishes to extend to Mrs. Perryman much happiness and continued success as she enters the next phase of her life.

R-23-106A

C-3.

RESOLUTION; COMMENDATION; JOHN KUYKENDALL; SERVICE TO PRINCE GEORGE COUNTY

WHEREAS on February 1, 2000, John Kuykendall was hired as a Police Officer; and

WHEREAS during his employment, he completed all levels of career development and retired as a Career Police Officer; and

WHEREAS during his career, John Kuykendall served in the Field Operations Division, as a Patrol Officer, as a Community Services Officer, and as a School Resource Officer; and

WHEREAS during his career, John Kuykendall served on the Marine Unit, Patrol Bicycle Unit, and as a Facebook Administrator; and

WHEREAS Officer Kuykendall throughout his career, has received numerous letters of commendation from citizens and business owners of Prince George County; and

WHEREAS On May 24, 2021, John Kuykendall responded to a dispatched call in the 5300 block of Courthouse Road for a motor vehicle crash with entrapment. Information was relayed to responding units that the vehicle was on fire, a man was still inside the car screaming, and ammunition inside the vehicle was igniting. Officer Kuykendall was one of the first officer's on-scene, who, without delay, ran down the ditch line into the woods to extract the man trapped inside this car. Battling extreme heat, heavy smoke and sounds of explosion, Officer Kuykendall assisted in freeing the subject from the vehicle and pulling him to safety, thus saving a life. Officer Kuykendall's selfless dedication to duty and courage in the face of danger was significant in this incident.

WHEREAS Officer Kuykendall's fellow co-workers refer to him as being committed and trustworthy; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 11th day of July, 2023 does hereby commend John Kuykendall for completion of twenty-three years of dedicated service to the County and its citizens; and

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

R-23-106B

C-4.

RESOLUTION; APPROPRIATION (\$30,919.00 STATE DEPARTMENT OF SOCIAL SERVICES LOCAL OVERTIME SURGE FUNDS MEDICAID UNWINDING)

BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 11th day of July, 2023, does hereby authorize the following increase of funds within the 2023-2024 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>
GENERAL FUND		
<u>Expenditure:</u>		
0100-05-113-0701-41201	Social Services Administration State Overtime No Local Match	\$30,919.00
<u>Revenue:</u>		
0100-20-601-8202-324602	State DSS Public Assistance Funds	\$30,919.00

R-23-106C

C-5.

AUTHORIZATION FOR THE POLICE DEPARTMENT TO APPLY FOR \$12,500.00 OF VIRGINIA STATE POLICE, HELP ELIMINATE AUTO THEFT (HEAT), FUNDS.

WHEREAS the Police Department is requesting approval of the Prince George County Board of Supervisors to apply for funding of \$12,500 through the Virginia State Police HEAT Program; and

WHEREAS the total award, with no local match requirement, will be utilized for enhancing operational capacities to investigate vehicle thefts or promoting the prevention of vehicle and vehicle parts theft.

NOW, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11th day of July, 2023, does hereby authorize the submission of a funding application for \$12,500.

The roll call vote was:

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

PRESENTATIONS

S-1. Resolution; Commendation; Tamie Perryman, Administrative Support Specialist III; Service to Prince George County. Mrs. Waymack presented the commendation to Tamie Perryman in the presence of her family and fellow officers.

S-2. Resolution; Commendation; John Kuykendall, Police Officer; Service to Prince George County. Chairman Hunter presented the commendation to Officer John Kuykendall in the presence of his fellow officers.

SUPERVISORS COMMENTS

Mrs. Waymack stated that everyone should be conscious and prayerful for those up north dealing with the floods.

Chairman Hunter asked everyone to keep Mr. Brown and his family in their prayers with the loss of his father and uncle.

Mr. Brown said hello to Harper White and his mother, Cynthia. He stated that he is struggling with the deaths of his father and uncle, but they are making it through. There will be a Celebration of Life for Floyd M. Brown, Sr. on Monday, July 17 at 11:00 a.m. at the Prince George High School Auditorium. He thanked everyone for their cards, phone calls, visits and condolences.

COUNTY ADMINISTRATOR'S COMMENTS

Mr. Jeffrey D. Stoke, County Administrator stated that the Prince George Farmers' Market will have "Christmas in July" on Saturday, July 15 at Scott Park from 9:00 am to 1:00 pm. There will be a Founders Day Celebration, rain or shine, at the Prince George Regional Heritage Center Lawn on July 22 from 7:00 pm to 9:00 pm. National Night Out will be on August 1 at multiple community sites throughout Prince George County from 5:00 pm to 9:00 pm.

REPORTS

VDOT – Mr. Paul Hinson of the Virginia Department of Transportation stated that Golf Course Road bridge work has begun. The detour will go up on July 24. Lone Oak Mill Road bridge work is underway and there will be a detour for that as well. The surface treatment is pretty much done for the year with a few punch list items left. Slurry seal is in the same situation with just a few items remaining. The roundabout project at Courthouse and Bull Hill Roads will

proceed and be awarded in October. Templeton Road No Thru Truck Restrictions has been advertised and the public comment period closed. They are moving forward to finalization.

POSTPONED ITEMS

T-1. Resolution; Appointment (One Member) Appomattox Regional Library Board. Mrs. Waymack made a motion, seconded by Mr. Webb, to approve the Resolution to Appoint Ms. Jean Hill-Atkins to the Library Board. Roll was called on the motion.

R-23-107

T-1.

RESOLUTION; APPOINTMENT (FOUR-YEAR TERM) - APPOMATTOX REGIONAL LIBRARY BOARD OF TRUSTEES.

WHEREAS The Board of Supervisors of the County of Prince George did at its regular meeting on the 16th day of February, 1974, consider and approve a contract which establishes the Appomattox Regional Library; and

WHEREAS Section One of such contract provides for a Board of Trustees of eleven members to govern the Appomattox Regional Library, three of whom shall be appointed by the Prince George County Board of Supervisors; and

WHEREAS The term of Mr. William Thomas will expire on June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 11th day of July, 2023 does hereby appoint Ms. Jean Hill--Atkins to the Appomattox Regional Library Board of Trustees to serve a four-year term, beginning July 1, 2023 and ending on June 30, 2027.

The roll call vote was:

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

ORDER OF BUSINESS

A-1. Resolution; Appointment of County Attorney. Ms. Corrie Hurt, Human Resources Director, stated that the Board of Supervisors has solicited and received applications statewide for the position of County Attorney and after careful consideration, has selected Ms. Andrea Erard. Both the Board and Ms. Erard have expressed their desire to enter into an employment contract. Mr. Webb made a motion, seconded by Mr. Brown to approve the Resolution Appointing Andrea Erard as County Attorney and Authorizing the Chairman to Sign an the Employment Agreement. Roll was called on the motion.

R-23-108

A-1.

RESOLUTION; APPOINTMENT OF COUNTY ATTORNEY

WHEREAS § 15.2-1542 Code of Virginia, 1950, as amended, authorizes the Prince George County Board of Supervisors to appoint a County Attorney; and

WHEREAS the Prince George County Board of Supervisors has solicited and received applications statewide for the position of County Attorney; and

WHEREAS the Prince George County Board of Supervisors, after careful consideration, has selected Andrea Erard, a local government attorney with over thirty years of experience, to serve as the Prince George County Attorney; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Prince George County, this 11th day July, 2023 does hereby appoint Andrea Erard as the Prince George County Attorney retroactive to July 1, 2023, and authorizes the Chairman to sign an employment agreement on behalf of the Prince George County Board of Supervisors.

The roll call vote was:

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

A-2. Resolution; Request of Hopewell Parks and Recreation For Waiver of Permit Fees Associated with a Joint Fireworks Display in the Appomattox River, Identified as Tax Map 220(03)00-00d-1. Mr. Charles Harrison, Interim Director of Community Development, stated that the department received this request from Ms. Tabitha Martinez, Director of Hopewell City Recreation and Parks for a joint fireworks display that has already occurred on July 1. Mr. Harrison stated that unfortunately, this request was received at a very difficult time in the department during the sudden loss of Julie Walton. As they are adjusting to the situation, they are now considering the request. The City of Hopewell has been offering this event at no cost to attendees for the past seven years. The actual fee is \$102. Mrs. Waymack made a motion, seconded by Mr. Webb, to approve the Resolution Authorizing the Waiver as presented. Roll was called on the motion.

R-23-109

A-2.

RESOLUTION; REQUEST OF HOPEWELL PARKS AND RECREATION FOR WAIVER OF PERMIT FEES ASSOCIATED WITH A JOINT FIREWORKS DISPLAY IN THE APPOMATTOX RIVER, IDENTIFIED AS TAX MAP 220(03)00-00D-1.

WHEREAS Master Displays Limited has applied for a permit to conduct a firework display on July 1, 2023 in the Appomattox River; and

WHEREAS Ms. Tabitha Martinez, Director, of Hopewell City Recreation and Parks has requested that the County waive the associated permit fees for this event, and the Board of Supervisors has given due consideration to the nature of the proposed work and the impacts of fee waiver;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 11th day of, July 2023, does hereby authorize the Department of Community Development and Code Compliance to grant Hopewell City Recreation and Parks a fee waiver for the permit associated with this project; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be given to the Department of Community Development and Code Compliance.

The roll call vote was:

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

A-3. Resolution Accepting Easements for Waterline Extension to Route 10 Corridor Project. Mr. Frank Haltom, County Engineer, stated that the waterline extension to the Route 10 corridor project extends the central water system to the Route 10 corridor. The project requires the acquisition of permanent utility easements on six (6) parcels and temporary construction easements on three (3) parcels. The permanent utility easements vary with a minimum of 16 feet in width. The temporary construction easements vary in width to allow for the removal of large trees and activities to bore the water line across roadways. The acquisition of easements will include compensation to address the impacts to the parcels. Compensation is based on the market land value and for damages to structures and trees on the properties. The anticipated total cost to obtain the easements for the water line extension is approximately \$7,500. Acceptance of the easement allows for the construction and continued maintenance of the water main to the Route 10 corridor. Mr. Webb made a motion, seconded by Mr. Brown, to approve the Resolutions accepting the easements for three parcels to allow for the installation and continued maintenance of a public water main. Roll was called on the motion.

R-23-110

A-3.

RESOLUTION ACCEPTING EASEMENTS
FOR WATERLINE EXTENSION TO ROUTE 10 CORRIDOR PROJECT

WHEREAS the waterline extension to the Route 10 corridor requires the acquisition of utility easements; and

WHEREAS these easements will allow for the installation and continued maintenance of the waterline.

NOW, THEREFORE BE IT RESOLVED, in accordance with Virginia Code § 15.2-1803, 1950, as amended, that the Board of Supervisors of the County of Prince George this 11th day of July 2023, hereby accepts the dedication of utility easements as shown on the attached map on the following parcels: 140(08)00-00A-0, 140(08)00-00B-1, and 140(05)00-002-0; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute any and all documents necessary for, or related to, this conveyance, subject to review and approval of the County Attorney; and

BE IT FINALLY RESOLVED that this Resolution shall be recorded in the land records of the Prince George County Circuit Court.

The roll call vote was:

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

A-4. Resolution; Award of Contract and Authorization to Purchase in Building Solution for Enhanced Radio Coverage at J. E. J. Moore Middle School and Station 7 (Mobile Communications of America Not to Exceed \$78,703.29). 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 Borrowings 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 recommended a number of purchases that enhance the Radio System project and / or public safety operations. The Radio Project working group recommends the purchase of in building solutions to enhance the radio signal at two County-owned sites; J. E. J. Moore Middle School and Station 7. These sites had weak signals during the testing process. An Invitation for Bids, IFB #23-12-0603 was issued on May 30, 2023 and closed on June 27, 2023 to procure the in building solutions. The County received six (6) bids. The lowest bid was from Mobile Communications America, Inc. for \$78,703.29 {\$52,092.04 for J. E. J. Moore and \$26,611.25 for Station 7}. The bid was responsive, with all attachments and required documents submitted. Sufficient funds are available to purchase these in building solutions and related equipment as part of the radio system project. Mrs. Waymack made a motion, seconded by Mr. Webb, to approve the Resolution Authorizing the County Administrator to Execute a Contract with Mobile Communications America, Inc. not to exceed \$78,703.29 to purchase in building solutions to enhance radio coverage at J. E. J. Moore Middle School and Station 7. Roll was called on the motion.

R-23-111

A-4.

RESOLUTION; AWARD OF CONTRACT and AUTHORIZATION TO PURCHASE IN BUILDING SOLUTIONS FOR ENHANCED RADIO COVERAGE AT J. E. J. MOORE MIDDLE SCHOOL AND STATION 7 (MOBILE COMMUNICATIONS OF AMERICA NOT TO EXCEED \$78,703.29)

WHEREAS the purchase of in building solutions to enhance radio coverage at J. E. J. Moore Middle School and Station 7 is recommended by the Public Safety Radio project working group using Public Safety Radio System replacement borrowings, Bond Series 2017 and 2018, to address coverage weakness revealed during radio testing; and

WHEREAS Invitation for Bids #23-12-0603 was issued on May 30, 2023, to solicit bids to purchase in building solutions for J. E. J. Moore Middle School and Station 7, and six (6) bids were received. Mobile Communications America, Inc. submitted the lowest responsive bid of \$78,703.29; and

WHEREAS Staff is recommending an award of contract to Mobile Communications America, Inc. not to exceed \$78,703.29, and is requesting authorization for the County Administrator to enter into a contract with Mobile Communications America, Inc. to purchase, and install in building solutions for J. E. J. Moore Middle School and Station 7, at a cost not to exceed \$78,703.29.

NOW, THEREFORE, BE IT RESOLVED that the Board of the Supervisors of the County of Prince George this 11^h day of July, 2023, hereby awards a contract to Mobile Communications America, Inc., and authorizes the purchase of in building solutions to improve radio coverage at J. E. J. Moore Middle School and Station 7, for a cost not to exceed \$78,703.29. The Board of Supervisors of the County of Prince George authorizes the County Administrator to execute a contract with Mobile Communications America, Inc. not to exceed \$78,703.29.

The roll call vote was:

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

A-5. Resolution; Award of Contract of the Purchase of GrayKey Mobile Forensics System, Related Equipment and Training to Panamerica Computers Inc. (Not to Exceed \$120,405.28). Chief Keith Early stated that on March 14, 2023, the Prince George County Board of Supervisors authorized the Police Department to apply for available DCJS ARPA Law Enforcement Equipment Funds totaling \$233,000. The Department of Criminal Justice Services awarded these funds on May 11, 2023, and on June 13, 2023, the Board of Supervisors appropriated the funds to the FY2024 Budget. The grant application included the purchase of a mobile forensics system (Grayshift GrayKey) and related installation, which exceeds \$50,000, and required the Board of Supervisors to approve an award of contract. A cooperative GSA contract (#GS-35F-0397U) with Panamerica Computers, Inc. is available for the purchase of the GrayKey licenses, and related equipment and training for \$120,405.28. This amount is available within the DCJS ARPA funds awarded. Staff is recommending an award of contract to

Panamerica Computers, Inc. for the purchase of the GrayKey mobile forensics equipment, related licenses and training at a cost not to exceed \$120,405.28. Mr. Brown made a motion, seconded by Mr. Webb, to approve the Resolution Awarding the Contract to Panamerica Computers, Inc. Roll was called on the motion.

R-23-112

A-5.

RESOLUTION; AWARD OF CONTRACT FOR THE PURCHASE OF GRAYKEY MOBILE FORENSICS SYSTEM, RELATED EQUIPMENT AND TRAINING TO PANAMERICA COMPUTERS INC. (NOT TO EXCEED \$120,405.28)

WHEREAS the Prince George County Board of Supervisors on March 14, 2023, authorized the Prince George County Police Department to apply for DCJS ARPA Law Enforcement Equipment Funds and appropriated the \$233,000 award to the FY2024 budget on June 13, 2023. The funding application included the purchase of a GrayKey mobile forensics system, related equipment and training, which exceeds \$50,000 in cost. Any awards of contract or purchases exceeding \$50,000 require Board approval; and

WHEREAS cooperative GSA contract pricing (#GS-35F-0397U) has been provided from Panamerica Computers, Inc. in the amount of \$120,405.28, and staff is recommending an award of contract to Panamerica Computers, Inc. Staff is requesting authorization for the County Administrator to enter into a contract with Panamerica Computers, Inc. to purchase the GrayKey mobile forensics system, related equipment and training in an amount not to exceed \$120,405.28.

NOW, THEREFORE, BE IT RESOLVED that the Board of the Supervisors of the County of Prince George this 11th day of July, 2023, hereby awards the contract for the purchase of the GrayKey mobile forensics system, related equipment and training to Panamerica Computers, Inc., in an amount not to exceed \$120,405.28, and authorizes the County Administrator to execute a contract with Panamerica Computers Inc. not to exceed \$120,405.28.

The roll call vote was:

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

PUBLIC HEARINGS

P-1. Public Hearing; REZONING RZ-23-06: Request of Floyd O. Powers to rezone 1.328 acres from General Industrial (M-2) to General Business (B-1) Zoning District. The purpose of the rezoning is to allow a meadery production facility and tasting room business. The subject property is located at 5108 Prince George Drive and is identified as Tax Map 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses. Mr. Tim Graves, Planning Department, stated that the applicant has requested that a 1.328-acre property be rezoned from General Industrial (M-2) to General

Business (B-1), with no proffered conditions, in order to open and operate a mead production facility and tasting room. The Planning Commission has forwarded the request to the BOS with a recommendation for approval. The property was rezoned to M-2 on April 24, 1984 under zoning case # ZM-84-5 with conditions relating to the planned use of the property at the time (automobile repair). If this request is approved, then the conditions will no longer apply to the property. The applicant began discussions with the County in July 2022, signaling her desire to purchase the property and open the production facility and tasting room and requesting a zoning confirmation letter. Planning Staff provided information and feedback that the use was not already permitted on the property and that zoning changes would be necessary. Ms. Haley considered requesting to amend the existing zoning case (ZM-84-5) to allow her intended land uses, but Staff determined that the tasting room element of the business would not be allowed in the M-2 zoning district. This led to the request to rezone to B-1, with the application submitted on April 28, 2023. Ms. Haley has also submitted a special exception application (SE-23-05) to allow the desired land uses once the property is rezoned. The mead production and tasting room fall under enumerated land uses which require a special exception, as detailed in the separate Staff report for SE-23-05. The applicant plans to lease and then buy the property at 5018 Prince George Drive, including tax parcels 240(16)00-002- 0 (which the building is located on) and 240(16)00-001-0 which is vacant land located in between the existing building and Prince George Drive. According to the application materials, the applicant plans to open a mead and honey production facility and a tasting room with a small snack bar. The applicant has also shown plans for outdoor seating areas extending onto the adjacent parcel 240(16)00-001-0 which is already zoned B-1, a small stage for outdoor entertainment, additional trees and plants, and signage on Prince George Drive. The details of these plans are addressed in the separate special exception request. In order to allow the planned activities, with the agreement of the present owner, F.O. Powers, the applicant submitted this request for rezoning from M-2 to B-1. No proffers have been submitted for this request. If this request is approved, then all B-1 land uses permitted by-right would be permitted on the property. The mead production and tasting room land uses require a special exception in the B-1 zoning district. Ms. Haley submitted SE-23-05 to request that approval separately, which will be considered by the Board following the rezoning case. While the applicant has identified particular uses they wish to do on the property, if the rezoning request is approved, then any of the land uses permitted by-right in the B-1 Zoning District could occur on the property in the future. The applicant has not submitted proffers for this request. Staff supports this request without proffers unless concerns come to light during the public hearing process. Prior rezoning cases applicable to this property: a. ZM-84-5, approved in 1984, rezoned the property to M-2 and included proffered conditions which limited the use of the property to automobile repair and maintenance activities and required a Site Plan including adequate screening, buffering and landscaping. If the present request is approved, the conditions will no longer apply to the request property. Screening may be addressed through existing ordinance requirements and/or special exception conditions. In 1985, the BZA granted a special exception to allow a mobile home to be placed on the property for a period of four years while a single family residence (now 5100 Prince George Drive) was under construction. The special exception was renewed for an additional four years in 1988. According to building permit files, the original approval letter stated the mobile home use was not transferrable to future owners. The original owners (last name Ross) are no longer associated with the property and therefore the mobile home is no longer permitted on the property and needs to be removed. Staff will work with the owner/applicant to remove the building. The applicant needs to work with an

Authorized Onsite Soil Evaluator (AOSE) or Professional Engineer (PE) who can determine what the sewage disposal system and water supply needs are for the proposed project. A Waste Characterization Letter from a PE may be needed to show how the waste strength and water flow will affect the intended use (changing use, number of employees, etc.). A commercial entrance will be required to provide access to the proposed project in accordance with VDOT standards. The site is provided access by a private road that connects to SR 156, Prince George Drive, with an existing commercial entrance. No modifications to the entrance are anticipated. VDOT has no objection to the proposed rezoning. Connection to the public water and wastewater systems is not required unless the health department determines that the existing onsite well and/or septic system is not adequate for the new use. 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. Staff posted a sign on the property on 6-6-23. Public feedback received prior to publishing this staff report: two citizens called to express their support for the request and one adjacent property owner (Tammy Ross, 5100 Prince George Drive) called to express specific concerns about the proposed special exception uses. The Planning Commission recommended approval after holding a public hearing on June 22, 2023. There were no public comments during the hearing. The reason provided for the recommendation was “It is compatible with the Comprehensive Plan and current surrounding uses and zoning districts.” Staff recommendation is based on the following considerations: 1. The applicant’s request appears to be compatible with current and future surrounding land uses, and the comprehensive plan. 2. This rezoning constitutes a downzoning. If approved, the permitted uses of the property will be less intensive than the uses that are already permitted in the M-2 zoning district. Chairman Hunter opened the public hearing at 7:38 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 Rezoning RZ-23-06 and approve the Ordinance as presented. Roll was called on the motion.

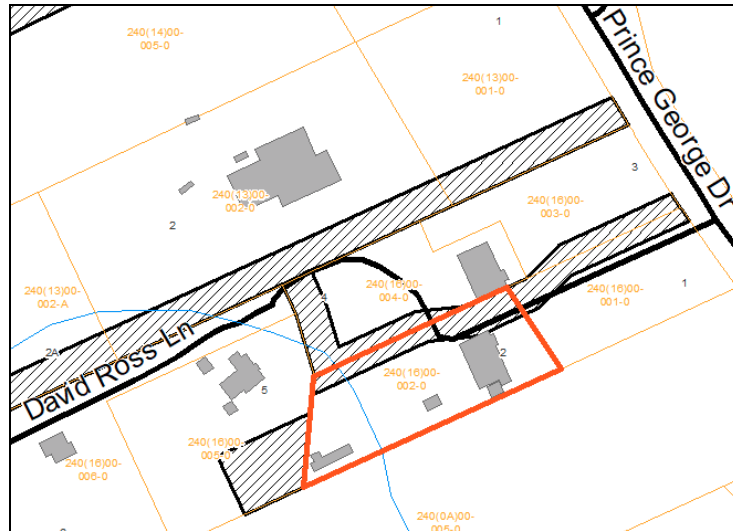
O-23-21

P-1.

REZONING RZ-23-06: Request to rezone 1.328 acres from General Industrial (M-2) to General Business (B-1) Zoning District. The purpose of the rezoning is to allow a mead production facility and tasting room business. The subject property is located at 5108 Prince George Drive and is identified as Tax Map 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-23-06 is granted as an amendment to the official zoning map; and

The Property, known as Tax Map # 240(16)00-002-0 existing on the date of this approval, consisting of 1.328 acres, as delineated as “Parcel 2” in Instrument 080002418, and illustrated in the below image, is hereby rezoned from General Industrial (M-2) District to General Business (B-1) District.



Adopted on July 11, 2023 and becoming effective immediately.

The roll call vote was:

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

P-2. Public Hearing; SPECIAL EXCEPTION SE-23-05: Request of Floyd O. Powers to permit “Wholesale and Processing” activities, pursuant to Prince George County Zoning Ordinance Section 90-393(1), and a “Tavern”, pursuant Section 90-393(12), within a General Business (B-1) Zoning District. The purpose of the request is to open a mead production facility and tasting room. The subject property is approximately 2.35 acres in size, located at 5108 Prince George Drive, and is identified as Tax Map Parcels 240(16)00-001-0 and 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses. Mr. Tim Graves, Planning Department, stated that the applicant has requested a special exception to allow “Wholesale and processing”, pursuant to Section 90-393(1) and a “Tavern”, pursuant to Section 90-393(12), in order to open and operate a mead production facility and a tasting room. The Planning Commission forwarded the request to the BOS with a recommendation for approval. The property was just rezoned from General Industrial (M-2) to General Business (B-1), with no proffered conditions, in order to open and operate a mead production facility and tasting room. The applicant, owner of Haley’s Honey Meadery, plans to lease and then buy the property at 5018 Prince George Drive, including tax parcels 240(16)00-002-0 (which the building is located on) and 240(16)00-001-0 which is vacant land located in between the existing building and Prince George Drive. According to the application materials, the applicant plans to open a mead and honey production facility and a tasting room with a small snack bar. The applicant has also showed plans for outdoor seating areas extending onto the adjacent parcel 240(16)00-001-0 which is already zoned B-1, a small stage for outdoor entertainment, additional trees and plants, and signage on Prince George Drive. Two tax parcels are involved in this special exception request. The applicant also plans to sell bottles/growlers for consumption off-premises. Retail sales of mead and related products are

permitted by-right in the B-1 zoning district, and the recommended conditions also acknowledge that the tavern use will include sales of products for off-site consumption. Traffic impacts have been considered and no Chapter 527 TIA was required at the time of rezoning and Staff is not recommending a TIA be completed for the special exception since the use will not generate additional traffic in comparison with uses permitted by right in the B-1 zoning district. VDOT has noted that the required commercial entrance already exists. Buildings and trees are located between the planned stage area and existing dwellings. There are existing trees, and additional trees are planned by the applicants. If this request is approved, additional zoning approvals will be required: a. Building/Zoning Permit, required prior to construction of any new buildings (none proposed at this time) b. Professional Business Zoning Approval, required prior to operation of the business. c. Site Plan review and approval, required if there is a proposed building addition or land disturbance that will exceed 2,500 SF. 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. Staff posted a sign on the property on 6-6-23. Public feedback received prior to publishing this Staff report included two (2) county residents called to express their support for the request and one adjacent property owner (Tammy Ross, 5100 Prince George Drive) called to express specific concerns including noise and potential for customers to walk onto her property. The Planning Commission recommended approval (subject to the recommended conditions) after holding a public hearing on June 22, 2023. There were no public comments during the hearing. The reason provided for the recommendation was "It is compatible with the Comprehensive Plan and current surrounding uses and zoning districts." Staff's recommendation was approval, subject to the recommended conditions: 1. This Special Exception is granted for the following uses on Tax Maps 240(16)00-001-0 and 240(16)00-002-0. a. A "tavern", defined for the purposes of this Special Exception as an establishment here alcoholic beverages (primarily mead produced by the business owner) are sold to be drunk on or off the premises the premises, with or without a snack bar, indoor/outdoor seating, and indoor/outdoor entertainment of an accessory nature. b. "Wholesale and processing" of mead / wine and related products. 2. All outdoor seating areas shall be visually screened from adjoining dwellings using vegetation, building walls, and/or opaque fencing. 3. Outdoor entertainment shall end no later than 9 p.m. and any stage/area for outdoor entertainment shall be located between the existing building and Prince George Drive. 4. All required federal, state and local licenses/permits shall be obtained for the approved uses. A Change of Use Permit and an updated Certificate of Occupancy shall be obtained from the Building Inspections Office prior to opening the business to customers. Any required approvals shall be obtained from the Health Department prior to issuance of an updated Certificate of Occupancy or Business License. 5. This Special Exception shall become null and void if no business license is obtained within 36 months of from the date of Special Exception approval. 6. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months. 7. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations. Mrs. Waymack asked if there will be beekeeping on the property to produce the honey. Monique Singleton confirmed that the owner has over 33 different hives on other properties. They will need to have at least one hive on the premises. She also clarified that in addition to the mead, they will be selling ciders. Chairman Hunter opened the public hearing at 7:52 p.m.

Leyla Meyers (8711 Second Court). Ms. Meyers spoke in favor of the Special Exception as she looks forward to enjoying local honey products. She asked the Board to support it as well.

There was no one else to speak and the public hearing was closed at 7:54 p.m. Mr. Webb made a motion, seconded by Mrs. Waymack, to approve SE-23-05 and approve the Ordinance, as presented with all of the conditions recommended by staff. Roll was called on the motion.

O-23-22

P-2.

SPECIAL EXCEPTION SE-23-05: Request to permit “Wholesale and Processing” activities, pursuant to Prince George County Zoning Ordinance Section 90-393(1), and a “Tavern”, pursuant Section 90-393(12), within a General Business (B-1) Zoning District. The purpose of the request is to open a mead production facility and tasting room. The subject property is approximately 2.35 acres in size, located at 5108 Prince George Drive, and is identified as Tax Map Parcels 240(16)00-001-0 and 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-23-05 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted for the following uses on Tax Maps 240(16)00-001-0 and 240(16)00-002-0.
2. A “tavern”, defined for the purposes of this Special Exception as an establishment where alcoholic beverages (primarily mead produced by the business owner) are sold to be drunk on or off the premises the premises, with or without a snack bar, indoor/outdoor seating, and indoor/outdoor entertainment of an accessory nature.
3. “Wholesale and processing” of mead / wine and related products.
4. All outdoor seating areas shall be visually screened from adjoining dwellings using vegetation, building walls, and/or opaque fencing.
5. Outdoor entertainment shall end no later than 9 p.m. and any stage/area for outdoor entertainment shall be located between the existing building and Prince George Drive.
6. All required federal, state and local licenses/permits shall be obtained for the approved uses. A Change of Use Permit and an updated Certificate of Occupancy shall be obtained from the Building Inspections Office prior to opening the business to customers. Any required approvals shall be obtained from the Health Department prior to issuance of an updated Certificate of Occupancy or Business License.
7. This Special Exception shall become null and void if no business license is obtained within 36 months of from the date of Special Exception approval.
8. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.

9. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.

Adopted on July 11, 2023 and becoming effective immediately.

The roll call vote was:

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

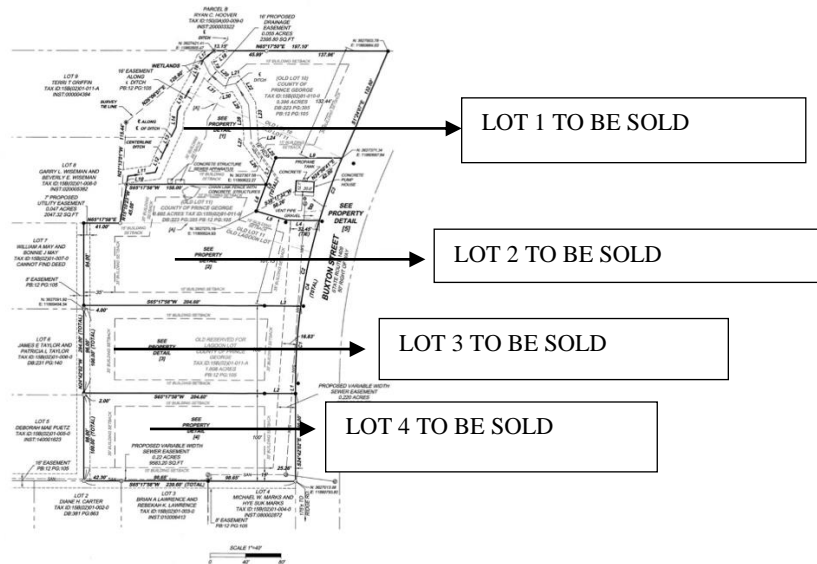
P-3. Public Hearing; Resolution Authorizing the Sale of County Owned Properties Located in River’s Edge Subdivision on Buxton Street. Ms. Andrea Erard, County Attorney, stated that Prince George County owns property in the River’s Edge Subdivision on Buxton Street. This land is no longer needed by the Utilities Department and has been resubdivided into four parcels. An offer to purchase all four properties for \$40,000 has been received. A Resolution approving the sale of the properties is requested. Chairman Hunter opened the public hearing at 7:56 p.m. There was no one to speak and the public hearing was closed. Mr. Brown made a motion, seconded by Mrs. Waymack to approve the Resolution Authorizing the Sale of Four Lots in the River’s Edge Subdivision on Buxton Street. Roll was called on the motion.

R-23-113

P-3.

RESOLUTION: AUTHORIZING THE SALE OF
COUNTY OWNED PROPERTIES LOCATED IN
RIVER’S EDGE SUBDIVISION ON BUXTON STREET

NOW, THEREFORE, BE IT RESOLVED that the Prince George County Board of Supervisors this 11th day of July 2023, following a properly advertised public hearing pursuant to Virginia Code § 15.2-1800, 1950, as amended, does hereby approve the sale of the following four lots in the River’s Edge subdivision:



BE IT FURTHER RESOLVED that the lots shall be sold by special warranty deed for the sum of \$40,000; and

BE IT FINALLY RESOLVED that closing must occur prior to December 31, 2023, and that the County Administrator is authorized to sign all necessary paperwork, subject to the review and approval of the County Attorney.

The roll call vote was:

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

ORDER OF BUSINESS (cont'd)

A-6. Resolution: Award of Contract to Asset Works for the Purchase of Fuel Focus (Not to Exceed \$402,282.44). Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that the Board of Supervisors, as part of the adopted FY2024 budget, approved a General Fund Transfer to the Capital Improvement Fund, and use of Federal LATCF to purchase an integrated fuel management software system, Asset Works - Fuel Focus. The adopted FY2024 budget included a General Fund transfer of \$314,502 to the CIP Fund for this purchase. The County received from the federal government, \$50,000 in Federal Local Assistance and Tribal Consistency Funds in FY2023, and another \$50,000 is expected in FY2024. Staff briefed the Board about this purchase during FY2024 budget work sessions. The quote, using GSA cooperative contract GS-35F-317GA, from Asset Works is provided. Without optional installation services (\$90,000), the total is \$402,282.44 (\$394,763.04 was the quote in October 2022). The total approved project budget is \$414,502, and this award will leave a contingency of \$12,219.56 (originally estimated at 5% of original quote). There is no appropriation needed, as a

General Fund transfer was included in the adopted FY2024 Budget. Staff recommends an award of contract to Asset Works to purchase Fuel Focus at a cost not to exceed \$402,282.44. Mr. Webb made a motion, seconded by Mrs. Waymack to approve the Resolution Authorizing the County Administrator to Execute a Contract with Asset Works, at a cost not to exceed \$402,282.44 to purchase Fuel Focus, an integrated vehicle fuel management system. Roll was called on the motion.

R-23-114

A-6.

RESOLUTION; AWARD OF CONTRACT TO ASSET WORKS FOR THE PURCHASE OF FUEL FOCUS (NOT TO EXCEED \$402,282.44)

WHEREAS during the FY2024 budget process, the Prince George County Board of Supervisors approved funding to purchase Fuel Focus, an integrated vehicle fuel management system. Funding sources are a General Fund Transfer to the Capital Improvement Fund of \$314,502, and use of \$100,000 in Federal Local Assistance and Tribal Consistency Funds (LATCF); and

WHEREAS cooperative GSA contract pricing (GSA Contract GS-35F-317GA) has been provided from Asset Works in the amount of \$402,282.44, excluding optional installation services, and Staff is recommending an award of contract to Asset Works, and is requesting authorization for the County Administrator to enter into a contract with Asset Works to purchase Fuel Focus in an amount not to exceed \$402,282.44.

NOW, THEREFORE, BE IT RESOLVED that the Board of the Supervisors of the County of Prince George this 11th day of July, 2023, hereby awards the contract for the purchase of Fuel Focus to Asset Works in an amount not to exceed \$402,282.44, and authorizes the County Administrator to execute a contract with Asset Works not to exceed \$402,282.44.

The roll call vote was:

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

A-7. Resolution; Award of Contract to Furniture & Interiors by The Supply Room for the Purchase of Circuit Courtroom Furniture (Not to Exceed \$91,303.53). Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that the Board of Supervisors approved a Circuit Courtroom Renovation, and has appropriated \$2,111,372.73 for the project, to date. Furniture was included in the project budget and was estimated at \$167,000 (R-22-218 approved November 22, 2022). Moseley Architects provided furniture design services, and received a quote from Furniture & Interiors by The Supply Room. The quote uses a cooperative OMNIA

contract #07-126, and is for \$91,303.53. Staff recommends an award of contract to Furniture & Interiors by The Supply Room for Circuit Courtroom furniture for a total not to exceed \$91,303.53. Mr. Brown made a motion, seconded by Mrs. Waymack, to approve the Resolution to Authorize the County Administrator to Execute a Contract with Furniture & Interiors by The Supply Room, at a price not to exceed \$91,303.53 to purchase Circuit Courtroom furniture. Roll was called on the motion.

R-23-115

A-7.

RESOLUTION; AWARD OF CONTRACT TO FURNITURE & INTERIORS BY THE SUPPLY ROOM FOR THE PURCHASE OF CIRCUIT COURTROOM FURNITURE (NOT TO EXCEED \$91,303.53)

WHEREAS the Prince George County Board of Supervisors approved the renovation of the Circuit Courtroom as a capital project, and has appropriated funds for this renovation project including the purchase of new furniture; and

WHEREAS cooperative OMNIA contract pricing (OMNIA Contract #07-126) has been provided from Furniture & Interiors by The Supply Room in the amount of \$91,303.53, and Staff is recommending an award of contract to Furniture & Interiors by The Supply Room. Staff is requesting authorization for the County Administrator to enter into a contract with Furniture & Interiors by The Supply Room to purchase Circuit Courtroom furniture in an amount not to exceed \$91,303.53.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 11th day of July, 2023, hereby awards the contract for the purchase of Circuit Courtroom furniture to Furniture & Interiors by The Supply Room in an amount not to exceed \$91,303.53, and authorizes the County Administrator to execute a contract with Furniture & Interiors by The Supply Room not to exceed \$91,303.53.

The roll call vote was:

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

A-8. Appointment of Zoning Administrator. Mrs. Waymack made a motion, seconded by Mr. Webb, to appoint Robert Baldwin Zoning Administrator for Prince George County, effective July 17, 2023.

The roll call vote was:

Donald R. Hunter, Chairman	Aye
T. J. Webb, Vice-Chairman	Aye

Floyd M. Brown, Jr.	Aye
Marlene J. Waymack	Aye

ADJOURNMENT. Mr. Brown moved, seconded by Mrs. Waymack to adjourn. Roll was called on the motion.

The roll call vote was:

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

The meeting adjourned at 8:03 p.m.

[Draft Minutes prepared July 13, 2023 for consideration on August 8, 2023]

Donald R. Hunter
Chairman, Board of Supervisors

Jeffrey D. Stoke
County Administrator