

MINUTES
Board of Supervisors
County of Prince George, Virginia

November 22, 2016

5:00 p.m.

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

MEETING CONVENED. A regular meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 5:03 p.m. on Tuesday, November 22, 2016 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by William A. Robertson, Jr., Chairman.

ATTENDANCE. The following members responded to Roll Call:

William A. Robertson, Jr., Chairman Present

Jerry J. Skalsky, Vice-Chairman Present

Alan R. Carmichael Present

Donald R. Hunter Present

T. J. Webb Present

Also present was: Percy C. Ashcraft, County Administrator; Jeff Stoke, Deputy County Administrator; and Steve Micas, County Attorney.

CLOSED SESSION

E-1. Resolution; Closed Session for: (1) consultation with legal counsel and briefings by staff pertaining to actual litigation involving a DEQ “Notice of Violation” where such consultation would adversely affect the litigating posture of the County pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended; (2) consultation with legal counsel and briefings by staff pertaining to probable litigation involving a tax dispute with a multi-national corporation pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended; and (3) discussion of prospective candidates for Board appointments to various committees pursuant to § 2.2-3711 (A)(1), Code of Virginia, 1950, as amended. Mr. Webb made a motion, seconded by Mr. Hunter that the Board convene closed session for (1) consultation with legal counsel and briefings by staff pertaining to actual litigation involving a DEQ “Notice of Violation” where such consultation would adversely affect the litigating posture of the County pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended; (2) consultation with legal counsel and briefings by staff pertaining to probable litigation involving a tax dispute with a multi-national corporation pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended; and (3) discussion of prospective candidates for Board appointments to various committees pursuant to § 2.2-3711 (A)(1), Code of Virginia, 1950, as amended. Mr. Carmichael read a statement regarding a conflict of interest due to his recent employment with Perkinson Construction. Therefore, he will

abstain to the Closed Session due to his conflict of interest. Roll was called on the motion.

R-16-091

E-1.

RESOLUTION; CLOSED SESSION FOR (1) CONSULTATION WITH LEGAL COUNSEL AND BRIEFINGS BY STAFF PERTAINING TO ACTUAL LITIGATION INVOLVING A DEQ "NOTICE OF VIOLATION" WHERE SUCH CONSULTATION WOULD ADVERSELY AFFECT THE LITIGATING POSTURE OF THE COUNTY PURSUANT TO § 2.2-3711 (A)(7), CODE OF VIRGINIA, 1950, AS AMENDED; (2) CONSULTATION WITH LEGAL COUNSEL AND BRIEFINGS BY STAFF PERTAINING TO PROBABLE LITIGATION INVOLVING A TAX DISPUTE WITH A MULTI-NATIONAL CORPORATION PURSUANT TO § 2.2-3711 (A)(7), CODE OF VIRGINIA, 1950, AS AMENDED; AND (3) DISCUSSION OF PROSPECTIVE CANDIDATES FOR BOARD APPOINTMENTS TO VARIOUS COMMITTEES PURSUANT TO § 2.2-3711 (A)(1), CODE OF VIRGINIA, 1950, AS AMENDED

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 22nd day of November, 2016, does hereby vote to enter closed session for (1) consultation with legal counsel and briefings by staff pertaining to actual litigation involving a DEQ "Notice of Violation" where such consultation would adversely affect the litigating posture of the County pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended; (2) consultation with legal counsel and briefings by staff pertaining to probable litigation involving a tax dispute with a multi-national corporation pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended; and (3) discussion of prospective candidates for Board appointments to various committees pursuant to § 2.2-3711 (A)(1), Code of Virginia, 1950, as amended.

On roll call the vote was:

In favor: (4) Robertson, Skalsky, Hunter, Webb

Opposed: (0)

Abstained: (1) Carmichael

E-2. Resolution; Certification of Closed Session. At 7:03 p.m., Mr. Webb made a motion, seconded by Mr. Skalsky, 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 Robertson 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-16-092

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 22nd day of November, 2016 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) Skalsky, Webb, Robertson, Hunter

Opposed: (0)

Abstained: (1) Carmichael

Invocation. Mr. Skalsky gave an invocation.

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

PUBLIC COMMENTS. Chairman Robertson announced that anyone wishing to come before the Board may do so at this time. He noted that this was the time for unscheduled general public comments. He opened the public comments at 7:06 p.m. There was no one to speak and the public comments period was closed.

APPROVAL OF AGENDA. Mr. Hunter added Items A-7A and A-7B as a Resolution to appropriate \$190,007 for Scott Park Improvements and a Resolution of Official Intent to Reimburse Expenditures with Proceeds of Bonds or Other Indebtedness, respectively. Mr. Webb made a motion, seconded by Mr. Hunter, to adopt the agenda as presented. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Robertson, Carmichael, Skalsky, Webb, Hunter

Opposed: (0)

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

C-1. Draft Minutes – November 9, 2016 Regular Meeting were approved as presented.

R-16-093

C-2.

RESOLUTION; APPROPRIATION (\$8,450 DEPARTMENT OF SOCIAL SERVICES BL 182 FUNDS)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 22nd day of November, 2016, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>		<u>AMOUNT</u>
<u>Expenditure:</u>		
0100-05-113-0701-41200	Social Services: Overtime	\$8,450
<u>Revenue:</u>		
0100-20-601-8202-324602	Social Services: Public Assistance	\$8,450
		R-16-093A

C-3.

RESOLUTION; APPROPRIATION (\$60,483.76 ASSET FORFEITURE CARRY FORWARD)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 22nd day of November, 2016, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>		<u>AMOUNT</u>
<u>Expenditure:</u>		
0211-03-100-0601-46072	Asset Forfeiture: PD Local	\$1,900.12
0211-03-100-0601-46028	Asset Forfeiture: PD State	\$26,556.25
0211-02-020-0204-46072	Asset Forfeiture: CA Local	\$1,093.22
0211-02-020-0204-46028	Asset Forfeiture: CA State	\$29,395.08
0211-02-020-0204-46073	Asset Forfeiture: CA Federal	\$1,539.09
<u>Revenue:</u>		
0211-399999	Asset Forfeiture: Fund Balance	\$60,483.76
		R-16-093B

C-4.

RESOLUTION; AUTHORITY FOR CHIEF OF POLICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE PRINCE GEORGE POLICE DEPARTMENT AND RIVERSIDE REGIONAL JAIL AUTHORITY

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 22nd day of November, 2016 does hereby authorize the Chief of Police to execute Memorandum of Understanding Between the Prince George Police Department and Riverside Regional Jail Authority.

On roll call the vote was:

In favor: (5) Robertson, Carmichael, Webb, Skalsky, Hunter

Opposed: (0)

SUPERVISORS' COMMENTS

Mr. Carmichael wished everyone a Happy Thanksgiving. He commented that the true meaning of Thanksgiving is to see those adopted children at the reception downstairs find a family. Mr. Carmichael also stated that he is glad to see such a speedy recovery for Mr. Hunter's surgery.

Mr. Webb echoed Mr. Carmichael's comments. He also added that he recently visited Rowanty Technical School. He stated that it is extremely beneficial to see what this school offers the children.

Mr. Hunter echoed Mr. Carmichael's comments. He asked everyone to keep their thoughts and concerns for our public safety officials at this time. He announced that Sgt. Davis Walker, retired Police Officer of Prince George County, has passed away.

Mr. Skalsky stated that the annual VACo Conference is a real eye opener and made him proud to represent Prince George County. He commended Mr. Robertson for being elected President-Elect of VACo. He also mentioned that Prince George County is the recipient of the VACo Go Green Award and he presented it to the County Administrator, Percy Ashcraft. Mr. Ashcraft stated that Prince George County was recognized for the way certain things have been structured throughout the County to create environmentally friendly government facilities. Only seven out of 95 Virginia Counties received this award.

Chairman Robertson stated that the annual Christmas Parade will be on December 3 at 3:00 p.m. On November 30 at 7:00 p.m. the County will have its Tree Lighting Ceremony. He also announced that Wayne Walton of FOLAR will be recognized in a ceremony on December 1.

COUNTY ADMINISTRATOR COMMENTS

Mr. Ashcraft stated that County Offices will be closed for the Thanksgiving Holiday from November 23 at 12:30 p.m. through November 25. There will be a Ribbon Cutting Ceremony on November 28 at 12:00 Noon at Life Empowerment Church. The Prince George TRIAD Meeting on November 28 at 1 p.m. at the Prince George Library. The Police Department Wreath Laying Ceremony will be on December 2 at 9 a.m. and 11 a.m. at the Merchant's Hope & Southlawn cemeteries. Breakfast with Santa will be on December 3 from 9 a.m. to 12:00 Noon at the Parks & Recreation Community Center.

The Firefighter's Chili Cook-Off & Fund Raiser will be on December 3 at 1 p.m. at the County Complex. The Annual Christmas Parade will be on December 3 at 3 p.m. at the Courthouse Complex. The Board will have a Dinner Meeting with Legislators on December 6 at 6 p.m. at the Prince George Library. Mr. Ashcraft asked the County Attorney, Mr. Steve Micas, to introduce the new part-time attorney, Andrea Erard. Mr. Ashcraft continued. Prince George County awarded '2016 Champions of Economic Impact in Sports Tourism' for hosting 14U ASA Tournament last summer. Parks & Recreation to receive award on December 1 by Friends of the Lower Appomattox River (FOLAR). Three Prince George County public safety personnel won CIT awards at the Riverside Criminal Justice Agency Annual Legislative Breakfast held November 18. Sgt. Keith King won the First Responder Award, and Sherita Winfield & Judy Chalkley won the Dispatcher Award. The Prince George Ruritan Club has begun selling Christmas trees at its location along Ruffin Road. The Police & Sheriff's Offices are participating in No Shave November and have raised \$1,040 for St. Jude's Cancer Research. Students & faculty at NB Clements Junior High School have collected over 700 canned/non-perishable food items to donate to the Prince George Food Bank. Owen Kirkpatrick, 4th Grade Student at North Elementary, is the winner of the Parks of the Recreation Christmas Card Contest.

REPORTS

General Election. Ms. Katherine Tyler, Registrar, gave a report on the 2016 General Election. Ms. Tyler stated that 2016 was a big year for elections with the Presidential Primary in March, Congressional Primary in June, and the Presidential Election in November. They have been planning for the Presidential Election since January. Prince George County currently has over 23,400 registered voters. This year there was a 70% voter turnout with 2,139 absentees. Citizens can register to vote on the State Board of Elections website. They can also change their information on that site as well. She warned the public of third party voter registrations. TDY's from Fort Lee were allowed to register and vote right up through Election Day. Ms. Tyler stated that 153 TDY's came in to register and vote on Election Day. She also stated that they worked with the State Board of Elections to get the mix-up on the convicted felons straight. Most of them were able to vote once their rights were restored. She did ask the Board to consider a new precinct for the Jefferson Park area. The Jefferson Park Fire Station has become too small for that area now. The packets for the 2017 Election will be ready in January. There will be two Board members and two School Board members up for election. She also mentioned that the County is going to be required to get new voting machines to replace the touch screen machines and they need to be in place by 2020. She thanked the Board and all of the County employees for their support during this election. The Office of the Registrar's main concern is to maintain the integrity of the election by following the law and conducting fair and honest elections in Prince George County.

TABLED ITEMS

PUBLIC HEARINGS

P-1. Public Hearing; REZONING CASE RZ-16-06 Request of Ophelia S. Fludd to rezone a 1.07 +/- acre parcel and 2.21 +/- acre parcel from the B-1, Genera

Business to the A-1, General Agricultural Zoning District. The Comprehensive Plan indicates that the subject properties are appropriate for Commercial uses. The subject properties are located at 13000 South Crater Road and are known as Tax Maps 430(0A)00-099-0 and 430(0A)00-098-0. Mr. Douglas Miles, Zoning Administrator, stated that this is a rezoning request from B-1, General Business to A-1, General Agricultural to permit the sale of the existing single family dwelling use. The 2014 Comprehensive Plan Update identifies this area as appropriate for commercial use. The subject properties are zoned B-1, General Business which occurred back on July 1, 1965. The property was originally subdivided back in 1962 and the existing single family dwelling was built in 1964 and the detached garage was built in 1977. The applicant was unaware that her property was zoned B-1 until she asked her real estate agent to list her property and it was then discovered through his due diligence research with Prince George County. A Zoning Certificate was issued on August 23, 2016 relative to the non-conforming status of the existing home there. The subject properties are not served by County water or sewer and they are not located within the Enterprise Zone. It is not economically feasible to serve this B-1 zoned property with public utilities and a rezoning from B-1 to A-1 is appropriate. Future business growth is to be focused at Exit 45 where water and sewer is available for commercial development at this interchange. As of the writing of this report, County Staff has not received any letters, telephone calls, social media postings or any e-mails in support or in opposition to this rezoning case request. A Zoning Sign has been posted on the subject property as a courtesy for any public comments. Staff recommends approval of this rezoning request from B-1, General Business to A-1, General Agricultural without any conditions in order to return the two properties to a residential land use. Mr. Lewis Wyche, Attorney for the applicant, spoke on behalf of the applicant. He stated that as it is zoned now, it makes it impossible for the bank to loan money on the purchase of the property. Chairman Robertson opened the public hearing at 7:51 p.m. There was no one to speak and the public hearing was closed. Mr. Webb made a motion, seconded by Mr. Skalsky, to approve the ordinance as presented. Roll was called on the motion.

O-16-15

P-1.

REZONING CASE RZ-16-06 Request of Ophelia S. Fludd to rezone a 1.07 +/- acre parcel and 2.21 +/- acre parcel from the B-1, General Business to the A-1, General Agricultural Zoning District. The Comprehensive Plan indicates that the subject properties are appropriate for Commercial uses. The subject properties are located at 13000 South Crater Road and are known as Tax Maps 430(0A)00-099-0 and 430(0A)00-098-0.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the rezoning case identified as RZ-16-06 is granted for A-1, General– Agricultural zoning to the official zoning map.

Adopted on November 22, 2016 and becoming effective immediately.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

P-2. Public Hearing; Amendment to Veteran's Tax Ordinance. Mr. Steve Micas, County Attorney, stated that in 2011, in accordance with state law, the Board adopted an ordinance granting real estate tax relief for veterans with a 100% service-related disability and their surviving spouse, without regard to income or net worth. The 2016 General Assembly amended the existing tax exemption by adding to the exemption any improvements attached to the parcel upon which the residence is located. Chairman Robertson opened the public hearing at 7:53 p.m. There was no one to speak and the public hearing was closed. Mr. Hunter made a motion, seconded by Mr. Carmichael, to approve the ordinance amendment as presented. Roll was called on the motion.

O-16-14

P-2.

ORDINANCE TO AMEND THE CODE OF THE
COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS
AMENDED, BY AMENDING § 74-221.1 TO EXEMPT
CERTAIN IMPROVEMENTS FROM REAL PROPERTY
TAXES OF DISABLED VETERANS AND THEIR
SURVIVING SPOUSES

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 and re-codified by amending § 74-221.1, as follows:

Sec. 74-221.1. Tax exemption for disabled veterans.

The real property, including the joint real property of husband and wife, of any veteran who has been rated by the U. S. Department of Veterans Affairs or its successor agency pursuant to federal law to have a 100 percent service-connected, permanent, and total disability, and who occupies the real estate as his principal place of residence shall be exempt from taxation without regard for total combined income or net worth for such principal residence and the land in an amount not to exceed five acres on which it is situated. A real property improvement other than a dwelling, attached to such five acres shall also be exempt from taxation so long as the principal use of the improvement is (i) to house or cover motor vehicles or household goods and personal effects and (ii) for other than a business purpose. The surviving spouse of a veteran eligible for the

exemption set forth in this article shall also qualify for this exemption so long as the death of the veteran occurs on or after January 1, 2011, the surviving spouse does not remarry, and the surviving spouse continues to occupy the real property as his principal place of residence.

(2) That this Ordinance shall be effective for tax years beginning on or after July 1, 2017.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

ORDER OF BUSINESS

A-1. Discussion and Possible Action on the 2017 Legislative Program. Each year in the fall, the Board communicates any legislative requests for the upcoming General Assembly session to the County's General Assembly delegation. The Board will meet with the delegation at a dinner meeting on December 6, 2016. Normally, the Board supports the VACO legislative program and includes additional local priorities. The following are items for consideration agreed to by the Board:

1. Resolution naming Prince George as the state "capital" for the descendants of Czech/Slovak immigration to Virginia.
2. State funding to accelerate construction of Commonwealth Center for Advanced Logistics System in Prince George including cost to purchase real estate from Prince George County.
3. Make no changes to DMV "Block" system (car owner cannot register vehicle) for collection of delinquent personal property taxes owed to localities.
4. Provide automatic appointment by Governor of a financial "receiver" if local governments are more than 60 days in arrears for any obligation to regional authorities.
5. Provide State "intercept" of grants or transfers from the State if any locality is in arrears for more than 60 days for any obligation to regional authorities.
6. Any initiative to impose a local "stress test" process (similar to stress tests imposed by Federal Reserve for banks) for local governments must include adequate State funding for additional costs.
7. Additional funding for broadband infrastructure grants to improve economic and educational competitiveness of rural areas.
8. State requirement to pay full daily rate of local jails if State prisoners are in local jail for more than 12 months.

9. Require that any discretionary State salary increases for teachers and constitutional officers have guaranteed state funding.
10. Full funding for the Standards of Quality mandate for public education.
11. Strengthen Manufactured Home Lot Rental Act (§ 55-248.41, et. seq.) to more closely resemble Washington and Oregon laws.
12. Increase per diem for state prisoners in local jails and speedier transfer of convicted felons to state facilities.
13. Amend § 15.2-2204, to provide more flexibility for local acceptance of cash proffers.
14. Increase state funding to reimburse a higher percentage of CSA mandate.
15. Fund early completion of approved Route 460 improvements (intersection near Prince George Bar-B-Que improvements).

A-2. Resolution; Appropriation (\$175,000 Capital Improvement Fund – Exit 45 Project from Economic Development). Ms. Betsy Drewry, Finance Director, stated that the adopted FY2017 Economic Development budget (Fund 0215) contains an expenditure line 48132 – Exit 45 Improvement to Sites in the amount of \$175,000. The Deputy County Administrator and the Finance Director recommend that it would provide better project accounting if all Exit 45 expenditures were incurred in the Capital Improvement Fund 0311. Staff is recommending an appropriation. Mr. Webb made a motion, seconded by Mr. Hunter, to approve the resolution as presented. Roll was called on the motion.

R-16-094

A-2

RESOLUTION; APPROPRIATION (\$175,000 CAPITAL IMPROVEMENT FUND – EXIT 45 PROJECT FROM ECONOMIC DEVELOPMENT)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 22nd day of November, 2016, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
0311-08-301-2151-48132-3125 Exit 45 Cameron Project	\$175,000

Revenue:

0311-90-901-8207-399103 Capital Transfer from Economic Development \$175,000

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

A-3. Resolution; Appropriation (\$50,000 Capital Improvement Fund – Broadband Project from Economic Development). Ms. Drewry stated that this is the same scenario as Item A-2. This time it is in the amount of \$50,000 for Broadband. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-16-095

A-3.

RESOLUTION; APPROPRIATION (\$50,000 CAPITAL IMPROVEMENT FUND – BROADBAND PROJECT FROM ECONOMIC DEVELOPMENT)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 22nd day of November, 2016, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
0311-01-002-3101-43101-3101 Broadband Project	\$50,000

Revenue:

0311-90-901-8207-399103 Capital Transfer from Economic Development \$50,000

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

A-4. Discussion on Setting a Date for a Work Session on Utilities Infrastructure. At the November 9 Board of Supervisors Meeting, the Board agreed to meet on December 5 for a work session to discuss utilities infrastructure. There is now a conflict and the meeting needs to be rescheduled. The new proposed date is December 12 at 6:00 p.m. in the Utilities Conference Room. The Board agreed to meet on that date and time.

A-5. Discussion on Setting a Date for a Budget Work Session. The County Administrator and Finance Director are requesting a budget work session for FY18. There was a proposed date of December 20. However, there is a conflict for that date so the Board will schedule it in December for some time next January.

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

A. **Resolution; Three Appointments (One-Year Term) – CIP Committee.** Mr. Hunter made a motion, seconded by Mr. Skalsky, to appoint Mr. Alan R. Carmichael, Mr. Andy Petik, Mr. Donald Vtipil, and Mr. Larry Barnett. Roll was called on the motion.

R-16-096

**RESOLUTION; RECOMMENDATION OF THREE CITIZEN
APPOINTMENTS (CIP COMMITTEE).**

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Prince George this 22nd day of November, 2016 that it hereby appoints Mr. Alan R. Carmichael to represent the Board of Supervisors on the CIP Committee; and

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

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

B. **Resolution; Appointments; Core Committee for School Facilities.** Mr. Carmichael made a motion, seconded by Mr. Webb, to appoint Mr. Rufus Montgomery, Mr. Norman “Butch” Sanford, Mr. Carlos Secrist, Ms. Kathy Hayes, Ms. Patsy Johnson, Mr. Donald R. Hunter, Mr. William A. Robertson, Jr., Ms. Julie Walton, and Ms. Betsy Drewry. Roll was called on the motion.

R-16-097

A-6B

**RESOLUTION; APPOINTMENT (BOARD OF SUPERVISORS
REPRESENTATIVE ON SCHOOL BOARD CORE COMMITTEE – ONE
MEMBER).**

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Prince George this 22nd day of November, 2016 does hereby appoint Mr. William A. Robertson, Jr., and Mr. Donald R. Hunter to represent the Board of Supervisors on the Core Committee for School Facilities; and

BE IT FURTHER RESOLVED THAT that the Board does hereby appoint Mr. Rufus Montgomery, Ms. Patsy Johnson, Mr. Carlos Secrist, Mr. Norman Sanford, and Ms. Kathy Hayes to serve as a citizen representative on the Core Committee for School Facilities; and

BE IT STILL FURTHER RESOLVED THAT the Board appoints Ms. Julie Walton, Director of Community Development and Ms. Betsy Drewry Finance Director, to serve on the Core Committee for School Facilities. All of these terms shall commence immediately and said terms are to be served at the pleasure of the Board of Supervisors.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

A-7.

A. Resolution; Appropriation (\$190,007 Scott Park Improvements – Field Improvement). Due to recent employment with Perkinson Construction, Mr. Carmichael has a conflict of interest in this Item A-7. Therefore, he will not participate in the appropriation or the intent to reimburse expenditures following it. Mr. Hunter made a motion, seconded by Mr. Skalsky, to approve the appropriation to finish the two back fields of Scott Park to answer a clause from DEQ to make sure no penalties are imposed. Mr. Webb stated that he has strong reservations, but they do not have much choice. Roll was called on the motion.

R-16-098

A-7A.

RESOLUTION; APPROPRIATION (\$190,007 SCOTT PARK IMPROVEMENTS – FIELD IMPROVEMENTS)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 13th day of September, 2016, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>		<u>AMOUNT</u>
<u>Expenditure:</u>		
0311-07-211-3151-48246	Scott Park Field Improvements	\$190,007
<u>Revenue:</u>		
0311-40-900-8115-341401	Debt Proceeds	\$190,007

On roll call the vote was:

In favor: (3) Webb, Skalsky, Hunter

Opposed: (1) Robertson

Absent: (1) Carmichael

B. Resolution of Official Intent to Reimburse Expenditures with Proceeds of Bonds or Other Indebtedness. Mr. Hunter made a motion, seconded by Mr. Skalsky, to approve the resolution as presented. Roll was called on the motion.

R-16-099

A-7B.

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

WHEREAS, the Board of Supervisors (the "Board") of the County of Prince George, Virginia (the "County") has previously determined to undertake the Scott Park Field Improvement projects (the "Purchase");

WHEREAS, the Board currently expects that the cost of the Purchase, excluding the costs of the financing thereof, will be approximately \$190,007;

WHEREAS, the Board currently expects to incur long-term indebtedness in an amount now estimated at \$190,007 to pay a portion of the costs of the Purchase, which indebtedness may take the form of tax-exempt bonds or other types of debt; the proceeds of such indebtedness may be used either for paying costs of the Purchase directly or for repaying other indebtedness previously incurred for the Purchase or for a combination of such purposes; and

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

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

1. The County intends to utilize the proceeds of tax-exempt bonds or notes (the "Bonds") or to incur other debt to pay Purchase costs in an amount not currently expected to exceed \$190,007.

2. The County intends that the proceeds of the Bonds be used to pay or reimburse the County for the payment of Expenditures made after the date of this Resolution or made within 60 days prior to the date of this Resolution or Expenditures which are incurred for certain preliminary costs such as architectural, engineering, surveying, soil testing, bond issuance expenses and the like. The County reasonably expects on the date hereof that it will pay or reimburse the Expenditures with the proceeds of the Bonds or other debt.

3. Each Expenditure will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, or (c) a nonrecurring item that is not customarily payable from current revenues.

4. The County intends to make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Purchase is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, and certain de minimis amounts.

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

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

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

On roll call the vote was:

In favor: (3) Webb, Skalsky, Hunter

Opposed: (1) Robertson

Absent: (1) Carmichael

ADJOURNMENT. Mr. Hunter moved, seconded by Mr. Webb, that the meeting be adjourned to December 6, 2016 at 6:00 p.m. in the Prince George Library. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Webb, Skalsky, Robertson, Carmichael, Hunter

Opposed: (0)

The meeting adjourned at 8:15 p.m.

[Draft Minutes prepared December 7, 2016, for consideration on December 13, 2016;
adopted by unanimous vote.]

William A. Robertson, Jr.
Chairman, Board of Supervisors

Percy C. Ashcraft
County Administrator