

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

September 24, 2019

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

**MEETING CONVENED.** A regular meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 5:00 p.m. on Tuesday, September 24, 2019 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Donald R. Hunter, Chairman.

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

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

Also present was: Percy Ashcraft, County Administrator; and Dan Whitten, County Attorney.

**CLOSED SESSION**

**E-1. Resolution; Closed Session for (1) discussion of the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; I further move discussion be limited to the County Attorney pursuant to Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act; and (2) for consultation with legal counsel pertaining to actual or probable litigation; I further move discussion be limited to National Opioid Litigation pursuant to Section 2.2-3711(A)(7) of the Virginia Freedom of Information Act.** Mrs. Waymack made a motion, seconded by Mr. Webb, that the Board convene closed session for: (1) discussion of the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; I further move discussion be limited to the County Attorney pursuant to Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act; and (2) for consultation with legal counsel pertaining to actual or probable litigation; I further move discussion be limited to National Opioid Litigation pursuant to Section 2.2-3711(A)(7) of the Virginia Freedom of Information Act.

R-19-111

E-1.

RESOLUTION; CLOSED SESSION FOR (1) DISCUSSION OF THE ASSIGNMENT, APPOINTMENT, PROMOTION, PERFORMANCE, DEMOTION, SALARIES, DISCIPLINING, OR RESIGNATION OF SPECIFIC PUBLIC OFFICERS, APPOINTEES, OR EMPLOYEES OF ANY PUBLIC BODY; I FURTHER MOVE DISCUSSION BE LIMITED TO THE COUNTY ATTORNEY PURSUANT TO SECTION 2.2-3711(A)(1) OF THE VIRGINIA FREEDOM OF INFORMATION ACT; AND (2) FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO ACTUAL OR PROBABLE LITIGATION; I FURTHER MOVE DISCUSSION BE LIMITED TO NATIONAL OPIOID LITIGATION PURSUANT TO SECTION 2.2-3711(A)(7) OF THE VIRGINIA FREEDOM OF INFORMATION ACT

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 24<sup>th</sup> day of September, 2019, does hereby vote to enter closed session for (1) discussion of the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; I further move discussion be limited to the County Attorney pursuant to Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act; and (2) for consultation with legal counsel pertaining to actual or probable litigation; I further move discussion be limited to National Opioid Litigation pursuant to Section 2.2-3711(A)(7) of the Virginia Freedom of Information Act.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**E-2. Resolution; Certification of Closed Session.** At 6:00 p.m., Mr. Brown made a motion, seconded by Mr. Webb, that the Board adjourn the closed session and enter open session, certifying that to the best of each Board Members' knowledge (1) only public business lawfully exempted from open meeting requirements were discussed and (2) only matters identified in the convening motion were discussed. Chairman Hunter asked if any Board member knew of any matter discussed during the closed session that was not announced in its convening legislation. Hearing no comment from the Board, the Chairman asked that the roll be called on the motion.

R-19-111A

E-2.

RESOLUTION; CERTIFICATION OF CONTENTS OF CLOSED SESSION PURSUANT TO SEC. 2.2-3711, ET SEQ., CODE OF VIRGINIA (1950, AS AMENDED)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 24<sup>th</sup> day of September, 2019 does hereby certify that, to the best of each Board Member's

knowledge, (1) only public business lawfully exempted from open meeting requirements were discussed, and (2) only matters identified in the convening motion were discussed.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **WORK SESSION**

School Superintendent, Dr. Lisa Pennycuff, stated that on August 12, 2019, the School Board approved the request of transfers within the County-wide CIP fund maintained for school projects. The transfer moved unexpended funds within the CIP fund to address needed repairs to the PHGS HVAC system. The Board of Supervisors approved this request at its September 10, 2019 meeting. Dr. Pennycuff is requesting an additional \$32,807.72 to be moved in the School HVAC CIP account to address issues at N. B. Clements Junior High School.

Dr. Pennycuff and Ms. Monique Barnes of the Prince George County School Board Office requested that the Board approve a budget amendment in the amount of \$208,652 in the School Nutrition Fund to cover excess spending above the appropriated amount. Actual revenues and expenditures for FY2019 within the School Nutrition Fund exceeded the annual adopted budgeted amounts.

Chief Keith Early introduced Wayne Stack, Consultant with Altairis Technology Partners, to discuss the Public Safety Land Mobile Radio Project. This project began with a needs assessment in January, 2017. After a competitive procurement process with vendor prequalification, two responsive proposals were received from Motorola and L3Harris. There was a meticulous evaluation and negotiations with both vendors. A County Evaluation Committee scored L3Harris the highest by a significant margin. L3Harris was more compliant with requirements and offered a significantly lower cost. Mr. Stack gave a thorough description of the system and the equipment. The system includes a 20-year maintenance agreement, including infrastructure maintenance, microwave maintenance, asset management system maintenance, software updates, hardware refresh, subscriber maintenance, and logging recorder maintenance at an annual cost of \$563,824 for 19 years after the first year. The total net system price is \$11,240,746. Looking forward, if the project is approved, the completion of the detailed design will be in February, 2020, completion of manufacturing in June, 2020, completion of factory testing in September, 2020, delivery to the County in October, 2020, completion of installation in April, 2021, completion of testing in October, 2021, cutover from old to new system in October, 2021, and final system acceptance in December, 2021. Mr. Carmichael if there will be a one to one radio for each volunteer. That answer was not available at this time. When asked about when the total amount is due, he did clarify for Mr. Carmichael that there are a total of 24 payment milestones throughout this project with a final 20% upon completion of the project. Mr. Webb asked if this could take care of all low lying area and Mr. Stack confirmed that it would. Mr. Webb asked what kind of plan is in place if there is a hiccup on a weekend or a holiday. Mr. Stack stated that L3Harris will be permanently relocating a master technician to Prince George County. By contract, he would need to be on site within two hours. Depending

upon the criticality of the situation, others may be sent from Lynchburg. Mr. Brown asked for the pros and cons between the two vendors. Mr. Stack stated they do have it and they can provide it. He did add that it was not a close evaluation. L3Harris scored around 90 while Motorola scored somewhere in the 50s. Mr. Brown asked with this huge investment, what would be the course of action if something went wrong. The Board has not seen the contract. Mr. Stack stated that they would be given the contract on a thumb drive this evening. Mr. Webb asked if they have done a performance comparison between the two companies. Mr. Stack stated that they did not conduct a formal study but they are very familiar with the successes and failures of both. Mr. Brown stated that he would be interested to know who they did speak with to learn this information. Mr. Stack stated that the County did visit several localities that have both systems and he would be willing to work with the Board in every way he can to make sure their questions are answered. Mr. Carmichael asked why the maintenance contract does not change year to year. He doesn't understand why it is just as expensive in year two as it is in year 19. Mr. Stack stated that it doesn't change so that costs will not increase year to year. Mr. Carmichael also asked if this system would be compatible to neighboring localities in which the County has mutual aid. Mr. Stack it would except for Dinwiddie because they too are in the middle of changing systems and he is not sure in what direction they are going to go. He stated that he also does not know what Charles City or Surry has. Ms. Betsy Drewry, Finance Director, clarified for Mr. Brown that the maintenance fee each year would be an operating expense while the total has already been included in borrowing. The Board decided that they would talk about this more at their retreat on September 28.

Chairman Hunter called a recess at 7:08 p.m. The meeting reconvened at 7:18 p.m.

**Invocation.** Mr. Brown gave the Board's invocation.

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

**PUBLIC COMMENTS.** Chairman Hunter announced that anyone wishing to come before the Board may do so at this time. He noted that this was the time for unscheduled general public comments. He opened the public comments at 7:20 p.m. There was no one to speak and the public comments period was closed.

**APPROVAL OF AGENDA.** After adding Item A-3, Budget Transfer in the amount of \$32,807.72 for School HVAC, Item A-4, Budget Amendment in the amount of \$208,652 for the School Nutrition Fund, and Item A-5, Retention of legal services from Sanford Heisler Sharp for the purpose of filing additional opioid litigation, Mr. Brown made a motion, seconded by Mr. Webb, to adopt the agenda as amended. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

C-1. Draft Minutes – September 10, 2019 Regular Meeting Minutes were approved as presented.

R-19-112

C-2.

**RESOLUTION; PROCLAMATION; NATIONAL FIRE PREVENTION WEEK –  
OCTOBER 6 -12**

On motion of Mr. Webb, seconded by Mr. Carmichael, which carried unanimously, the following Resolution was adopted:

WHEREAS, The County of Prince George is committed to ensuring the safety and security of all those living in and visiting Prince George County; and

WHEREAS, Fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, Home fires killed 2,630 people in the United States in 2017, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 357,000 home fires; and

WHEREAS, The majority of US fire deaths (4 out of 5) occur at home each year; and

WHEREAS, The fire death rate per 1000 home fires reported to US fire departments was 4 percent higher in 2017 than in 1980; and

WHEREAS, When the smoke alarm sounds Prince George County residents may have less than two minutes to escape to safety; and

WHEREAS, Prince George County residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Prince George County residents should make a home escape plan, drawing a map of each level of the home, showing all doors and windows; and

WHEREAS, Prince George County residents should practice the home fire escape plan with everyone in the household, including visitors; and

WHEREAS, Prince George County residents should practice the home fire escape drill at least twice a year, during the day and at night; and

WHEREAS, Prince George County residents should teach children to escape on their own in case adults can't help them; and

WHEREAS, Prince George County residents should make sure everyone in the home knows how to call 9-1-1 or the local emergency number from a cell phone or a neighbor's phone; and

WHEREAS, Prince George County residents should practice using different ways out; and

WHEREAS, Prince George County residents in a real emergency should get low and go under the smoke to get out quickly; and

WHEREAS, Prince George County residents should get out and stay out, never going back inside the home for people, pets, or things; and

WHEREAS, Prince George County residents are responsive to public education measures and are able to take action to increase their safety from fire, especially in their homes; and

WHEREAS, the 2019 Fire Prevention Week theme, "Not Every Hero Wears a Cape. Plan and Practice Your Escape!" effectively serves to remind us that we need to take personal steps to increase our safety from fire.

NOW, THEREFORE, BE IT RESOLVED That the Prince George County Board of Supervisors does hereby proclaim October 6–12, 2019, as Fire Prevention Week throughout this County, and urge all the people of Prince George county to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of Prince George Fire and EMS during Fire Prevention Week 2019.

R-19-112A

C-3.

#### RESOLUTION OF SUPPORT FOR THE APPOMATTOX RIVER TRAIL THROUGH THE TRI-CITIES REGION

WHEREAS, The Appomattox River was designated a State Scenic River in 1977 and the designation was extended in 1998 and 2011 and to include 19.2 miles of river from 100 feet below the Brasfield Dam to the confluence with the James River, passing through the jurisdictions of Chesterfield County, Dinwiddie County, the City of Petersburg, the City of Colonial Heights, County of Prince George and the City of Hopewell; and

WHEREAS, The State Scenic River designation recognizes the natural beauty and the historical significance of the Appomattox River; and

WHEREAS, The Appomattox River comprises 6 miles of the northern border of the County of Prince George; and

WHEREAS, The Friends of the Lower Appomattox River (FOLAR) was established in 2000 in partnership with the Crater Planning District Commission and all 6 jurisdictions of the Lower Appomattox River with the mission of working in partnership with communities to conserve and protect the Appomattox River for all to enjoy; and

WHEREAS, The Appomattox River Master Plan and Signage Plan that was adopted by FOLAR and the Crater Planning District Commission in 2017 to serve as the regional guide to create a 22 mile shared use path serving walkers, bicyclists, the physically challenged and other non-motorized users; and

WHEREAS, The Appomattox River Trail system will also provide river access for paddle craft, swimming and wading as well as places for fishing, picnicking and other passive recreation pursuits; and

WHEREAS, The history and habitat of the Appomattox River will be preserved and interpreted serving as an outdoor classroom for students of all ages; and

WHEREAS, When completed, the Appomattox River Trail will link the 6 jurisdictions along the river and increase transportation options while improving air quality, reducing roadway congestion, offering boating and fishing access and encouraging ecotourism; and

WHEREAS, Bicycle and pedestrian facilities can help curb a national epidemic of chronic obesity and weight related diseases by providing a safe alternative than travel by car; and

WHEREAS, Bicycle, pedestrian and water activities cultivate economic development and create jobs, attract events and visitors to our region, connect communities and encourage a better and more enjoyable and equitable quality of life for all citizens; and

WHEREAS, When complete, the Appomattox River Trail will provide connection to other nationally and regionally significant trails such as the East Coast Greenway, the Ashland to Petersburg Trail and the Capital Trail; and

WHEREAS, The Appomattox River Trail will run through the County of Prince George from Appomattox Boat Harbor to Appomattox River Regional Park , and will be a part of this greater regional system; and

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 24th day of September 2019, hereby supports the Appomattox River Trail

Master Plan and Signage Plan, and commends the visionary approach of past planning efforts and is committed to working FOLAR and the localities of the Crater Planning District Commission and participating with national organizations to create a connected regional asset thus setting an example for other counties/cities.

BE IT FURTHER RESOLVED, That the County of Prince George is committed to working with our state and congressional representatives to support legislation promoting open space protection and active, human powered transportation facilities for the betterment of our county, region, state and country.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **SUPERVISORS COMMENTS**

Mr. Webb clarified that the Red Knights put on the charity ride and Company 1 hosted it.

Mrs. Waymack stated she is grateful that the County has been spared by the storms.

Chairman Hunter stated that Disaster Preparedness Day was a total success.

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

Mr. Percy Ashcraft, County Administrator, stated that the Burrowsville 45<sup>th</sup> Annual Shrimp Feast will be on September 25 at 4:30 p.m. at the Burrowsville Ruritan Club. The Prince George Planning Commission Meeting will meet on September 26 at 6:30 p.m. in the Boardroom. The Prince George Farmers Market will continue on September 28 from 8 a.m. to 12:00 Noon at Scott Park. The 2019 Fire & Ems Graduation Ceremony will be on September 28 at 7 p.m. in the Prince George High School Auditorium. The Hopewell-Prince George Chamber of Commerce Fall Mixer will be on October 1 at 4:30 p.m. in the Barns of Kanak. The Hopewell-Prince George Crime Solvers 'Annual Rib Feast' will be on October 3 at 4 p.m. at Scott Park. The Prince George Ruritan Club 'Annual Seafood & BBQ Fest' will be on October 5 from 3 to 6 p.m. at Scott Park. There will be a Groundbreaking for the new Jefferson Park Fire Station on October 6 from 3 to 5 p.m. at the corner of Brandywine Drive & Jefferson Park Road. Kirsten Cherry resigned as Director of Information Technology on September 11; John Brockwell is currently serving as interim; interviews begin October 4 for replacement. Mr. Ashcraft stated that Ms. Cherry has been a great contribution to the technology of this County. New 'Welcome Signs' were installed the last few days at 11 locations. Over 50 students register for Fire & EMS Explorer Program at Prince George High School. Prince George County Government holds fundraiser to benefit Prince George High student with special learning expenses; over \$1,100 raised. Prince George Promise is looking for volunteers to serve on its Board of Directors. A meeting will be held at 2 p.m. Friday, October 11 in the Community Room of the Human Services Building. The computer lab at the Central Wellness Center will close on October 1. Vice Chairman Floyd Brown, Jr. is Co-Chair of the Annual Campaign Drive for the United Way.



**ORDER OF BUSINESS**

**A-3. Resolution; Budget Transfer (\$32,807.72 Capital Improvement Project Fund; Transfer from School CIP Bus Replacement to School HVAC).** This item was previously presented in the work session. Mr. Webb made a motion, seconded by Mrs. Waymack, to approved the resolution as presented. Roll was called on the motion.

R-19-113

A-3.

RESOLUTION; BUDGET TRANSFER (\$32,807.72 CAPITAL IMPROVEMENT PROJECT FUND; TRANSFER FROM SCHOOL CIP BUS REPLACEMENT TO SCHOOL HVAC)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 24<sup>th</sup> day of September, 2019, does hereby authorize the following transfer of funds within the 2019-2020 Budget, such line items increased and decreased as follows:

FUND/ORGANIZATION

AMOUNT

**Capital Improvement Fund (0311)**

Expenditures:

Increase:

0311-06-208-3187-48120	CIP – School HVAC (formerly Chiller)	\$32,807.72
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Decrease:

0311-06-208-3132-48105	CIP – School Bus Replacement	\$32,807.72
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On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

**A-4. Resolution; Budget Amendment and Appropriation (\$208,652 School Nutrition Fund End of Year).** This item was previously presented at the work session. Mr. Carmichael made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-19-114

A-4

RESOLUTION; BUDGET AMENDMENT AND APPROPRIATION (\$208,652 SCHOOL NUTRITION FUND END OF YEAR)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 24<sup>th</sup> day of September, 2019, does hereby authorize the following increase of funds within the FY2018-2019 Budget, such line items increased and changed as follows, which monies to be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Appropriation:</u>	
	<u>Revenue</u>
0540-30-000-0000-333810 School Nutrition Food Program Funds	\$208,652
TOTAL:	\$208,652
 <u>Expenditures</u>	
0540-06-205-6012-65100-000-900-000-46002 Café Food Supplies	\$168,652
0540-06-205-6012-65100-000-900-000-46014 Café Other Operating Supplies	\$ 40,000
TOTAL:	<u>\$208,652</u>

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

**A-5. Retention of Legal Services from Sanford Heisler Sharp for the Purpose of Filing Additional Opioid Litigation.** Dan Whitten, County Attorney, stated that Kaufman and Canoles is the County’s legal counsel in opioid litigation. Additional litigation is being filed against more companies but Kaufman and Canoles has a legal conflict. Sanford Heisler Sharp LLC can represent the County but a new retainer agreement must be signed. Sanford Heisler Sharp LLC would receive 25% of any proceeds and reimbursement of all costs. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to retain the legal services of Sanford Heisler Sharp LLP for the purpose of filing additional opioid litigation and authorizes the County Administrator and County Attorney to execute all necessary contracts to retain such legal services with a total of proceeds and costs to not exceed more than 35%. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

**A-1. Resolution; Authorization to Advertise a Public Hearing to Consider an Ordinance to Amend by Adding Sec. 46-5 to Assess Costs in Criminal and Traffic Cases to Fund an Electronic Summons System.** Chief Early presented information regarding Electronic Summons Systems at the Board’s September 10, 2019 work session. The Board indicated a

consensus to move forward with consideration of approving a \$5.00 fee that would be collected in each criminal or traffic case, in District or Circuit Court, from any defendant who is convicted of violating any statute or ordinance in Prince George County. The proceeds from the collection of this fee can only be used to fund software, hardware and associated equipment costs related to an electronic summons system. A motion approving the authority to advertise the ordinance for a public hearing on October 22, 2019 is requested. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-19-115

A-1.

RESOLUTION; AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND BY ADDING SEC. 46-5 TO ASSESS COSTS IN CRIMINAL AND TRAFFIC CASES TO FUND AN ELECTRONIC SUMMONS SYSTEM

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 9<sup>th</sup> day of July, 2019, does hereby authorize the advertisement of a public hearing to consider an Ordinance to Amend by adding Sec. 46-5 to assess costs in criminal and traffic cases to fund an electronic summons system.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-2. Resolution; Award of Contract Quarles Petroleum through State Contract #E194-73737 for Purchase of Vehicle Gasoline and Diesel Fuel.** Ms. Drewry stated that the current cooperative contract renewal with James River Solutions for gasoline and diesel fuel under the City of Manassas contract expires on October 31, 2019. The Procurement Officer and General Services explored available options for gasoline and diesel fuel purchasing. Fuel contracts are awarded on differential mark-up from OPIS pricing due to the fluctuation in fuel prices. A comparison of one recent gasoline and one recent diesel delivery to a variety of available cooperative contract options was performed. Staff does not believe that better pricing could be obtained by preparing an individual local bid, as the State has larger bargaining power. Staff's recommendation is to use the State contract with Quarles Petroleum based on this comparison to obtain the best differential pricing. The latest State renewal runs through January 5, 2020, with six (6) additional annual renewals available. Mr. Webb, made a motion, seconded by Mrs. Waymack, to approve the resolution as presented. Roll was called on the motion.

R-19-116

A-2.

**RESOLUTION; AWARD OF CONTRACT QUARLES PETROLEUM THROUGH STATE CONTRACT #E194-73737 FOR PURCHASE OF VEHICLE GASOLINE AND DIESEL FUEL**

WHEREAS, The Commonwealth of Virginia awarded the statewide gasoline and diesel fuel contract (#E194-73737) to Quarles Petroleum for price differentials varying according to location and quantity delivered as outlined in the contract for the period of November 20, 2015 through January 5, 2019 with 7 possible annual one-year renewals; and

WHEREAS, the County of Prince George wishes to participate in state contract #E194-73737 for gasoline and diesel fuel purchases; and

WHEREAS, Staff is requesting authorization for the County Administrator to issue an Award of Contract to Quarles Petroleum in accordance with State Contract #E194-73737 effective November 1, 2019 with possible renewals on state renewal schedule.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 24<sup>th</sup> day of September, 2019, hereby authorizes the County Administrator to issue a Notice of Award to Quarles Petroleum effective November 1, 2019 with renewals in accordance with State Contract #E194-73737.

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

**REPORTS**

**Land Use** – Mr. Rod Compton, Real Estate Assessor, stated that the Prince George County Land Use Program was established in 1976 to provide qualifying land uses a tax incentive to continue using the property for agricultural, forest, or other open space uses. The program provides a significant annual property tax reduction. Qualification of standards are set by the Department of Agriculture, Department of Forestry and the SLEAC, not the Assessor's Office. Prince George County has 1,368 parcels containing 94,489 acres in the land use program. It has been decreasing for the past few years, primarily due to development. About 60% of the land area in Prince George is in the program. Land Use assessments must be revalidated annually to verify that all property in the program is being used in accordance with qualifying standards as determined by the State Land Evaluation Advisory Council (SLEAC) and verified by the Assessor's Office. Revalidations were mailed on August 29. As of September 24, 640 revalidations were received. They are due without penalty by November 1. Revalidations are still accepted with a \$10 late fee until January 2, 2020. Parcels not revalidated by January 2, 2020 are removed from the program. About 77% of the Land Use Program is in the forest class. Forest rates peaked in the mid-2000s but dropped after the housing bust and have stabilized over the past five years. SLEAC agricultural land use rates have gone from the mid-\$200s in 2010 to \$2,150 in 2019. According to Code, SLEAC rates must be considered, but are

not required. In 2014, the Board of Supervisors adopted a 3-year moving average of SLEAC agricultural rates which helped slow the increase. However, in the TY20-21 Land Use Program, SLEAC agricultural rates will be decreased 20%. This leaves the question should the County continue the 3-year moving average or should it adopt the SLEAC rates. Mr. Compton stated that this is something the County may want to address this during the budget process.

**Barking Dogs** – Mr. Whitten, County Attorney, stated that there was a major change in noise ordinances when the Virginia Supreme Court ruled in the Tanner vs. City of Virginia Beach case in 2009 that their language was too vague. As a result, all of the counties across the State of Virginia, including Prince George, changed their noise ordinances in 2010 and 2011. Prince George County currently has a noise ordinance that meets all legal requirements. It currently states “to allow any animal or bird except farm animals between the hours of 10:00 p.m. and 6:00 a.m. to create noise such that it is plainly audible at least once a minute for ten consecutive minutes inside the confines of a dwelling unit, house or apartment of another or at 50 or more feet from the animal or bird.” This standard is permissible and pretty common across the Commonwealth. There was some brief discussion as to how to enforce this ordinance.

**Quarterly Financial Report** - Ms. Betsy Drewry gave the quarterly financial report for year end June 30, 2019. Collections for General Fund Revenue were beyond expectations at 105.39% collected. Total General Fund Expenditures were 98.05% spent. The Utility Fund is still a work in progress with multiple entries pending. Ms. Drewry went over several CIP Projects, including body worn cameras, courthouse renovations, School projects, the burn building, Route 10 fire station, Route 156 water station, and the Food Lion water system upgrades. The Tourism and Economic Development Funds ended with favorable revenue over expenditures. There was a small amount of activity in the Proffer fund in 2019. The Board has the option to use proffer balances for upcoming projects in lieu of issuing debt as long as the project is in accordance with the proffer agreement. RedFlex Program FY19 collections at June 30, 2019 were \$15,546.78. The Health Insurance balance is \$2.51 million. The premiums exceeded the claims paid. The final audit is scheduled for October 28 through November 1. The CAFR preparation is targeted for completion by November 30, 2019.

**ADJOURNMENT.** Mr. Carmichael moved, seconded by Mr. Brown, that the meeting adjourn to September 28 at 9:00 a.m. in the Community Room at the Human Services Building. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

The meeting adjourned at 8:09 p.m.

[Draft Minutes prepared October 1, 2019 for consideration on October 8, 2019; adopted by unanimous vote.]

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Donald R. Hunter  
Chairman, Board of Supervisors

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Percy C. Ashcraft  
County Administrator