

MINUTES
Board of Supervisors
County of Prince George, Virginia

Budget Work Session
April 9, 2019
6:00 p.m.
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

MEETING CONVENED. A budget work session of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 6:00 p.m. on Thursday, April 9, 2020 in the Boardroom, County Administration Building, Third Floor, 6602 Courts Drive, Prince George, Virginia by Chairman Donald R. Hunter for a work session to discuss the budget.

ATTENDANCE. The following members responded to Roll Call:

Donald R. Hunter, Chairman	Present
Alan R. Carmichael, Vice-Chairman	Present (Electronically from 11216 Willow Lane, Disputanta, VA due to work conflict)
Floyd M. Brown, Jr.	Present
Marlene J. Waymack	Present (Electronically from 7110 Laurel Spring Road, Prince George, VA due to COVID-19 self-quarantine)
T. J. Webb	Present

County Staff present was: Percy C. Ashcraft, County Administrator; Dan Whitten, County Attorney; Betsy Drewry, Finance Director and Deputy County Administrator; Julie C. Walton, Deputy County Administrator; and Teresa Knott, Clerk.

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

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

APPROVAL OF AGENDA. Mr. Webb made a motion, seconded by Mr. Brown, to adopt the agenda as presented. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

WORK SESSION

Mr. Dan Whitten, County Attorney, stated that on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic. On March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic. On

March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020 in response to the spread of COVID-19. The Director of Emergency Management declared a Local Emergency pursuant to Virginia Code Section 44-146.21, as amended, on March 16, 2020. The declaration must be confirmed by the governing body. The County Attorney's office recommends passing the attached resolution approving the declaration of local emergency. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to approve the resolution as presented. Roll was called on the motion.

R-20-036

RESOLUTION CONFIRMING DECLARATION OF LOCAL EMERGENCY DUE TO THE OUTBREAK OF COVID-19

WHEREAS, the County Administrator is designated as the Director of Emergency Management for the County of Prince George; and

WHEREAS, the World Health Organization characterized the spread of COVID-19 virus as a pandemic on March 11, 2020; and

WHEREAS, the Governor declared a state of emergency on March 12, 2020 related to the COVID-19 virus; and

WHEREAS, the COVID-19 virus and its continued spread pose an imminent threat to the public health and safety of the residents of Prince George County, and the consequences of the virus are of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate any potential damage, hardship, suffering, or possible loss of life; and

WHEREAS, because of the imminent threat to the public health and safety to the residents of Prince George County arising from the COVID-19 virus, County Administrator Percy Ashcraft, acting in his capacity as Director of Emergency Management, declared a local emergency on March 16, 2020 pursuant to Virginia Code § 44-146.21; and

WHEREAS, given the Governor's declaration on March 12, 2020 and the immediate need for local emergency actions to begin, the Prince George County Board of Supervisors could not timely convene to give its prior consent to the County Administrator's declaration; and

WHEREAS, subsequent to the declaration by the County Administrator, conditions in Prince George County have led the Board of Supervisors to determine that the COVID-19 pandemic constitutes a "disaster" as defined in Virginia Code § 44-146.16, being a "communicable disease of public health threat."

NOW, THEREFORE, BE IT RESOLVED, that the Prince George County Board of Supervisors confirms the declaration of a local emergency by the County Administrator on March 16, 2020 and the declaration is further amended today to include the term "disaster" and that the County Administrator is empowered and directed to execute an amended declaration; and

BE IT FURTHER RESOLVED that during the existence of said emergency, the County Administrator shall exercise those powers, functions and duties as prescribed by state law and the ordinances, resolutions, and approved plans of Prince George County in order to mitigate the effects of said emergency.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Mr. Whitten stated that the Governor and Health Commissioner of the Commonwealth of Virginia and the President of the United States have recommended suspension of public gatherings of more than ten attendees. The Board of Supervisors of Prince George County, Virginia finds that emergency measures are necessary to mitigate the spread of COVID-19 and protect the health, safety, and welfare of residents and employees, while still providing for government operations to continue during this state of emergency. Virginia Code Section 15.2-1413 provides that a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months. The Attorney General of Virginia issued an opinion dated March 20, 2020, that localities have the authority during disaster to adopt ordinances to ensure the continuity of government. The Board of Supervisors also has the inherent authority to vary the county's policies, procedures and practices to assure the continuity of government operations. The emergency ordinance gives the Board of Supervisors the option to meet electronically when decisions must be made immediately where failure to do so could result in irrevocable public harm. Mr. Whitten stated that the emergency ordinance will come before the Board at the April 14 Board meeting for adoption. This ordinance will expire after 60 days unless re-adopted by the Board of Supervisors after public notice in accordance with Virginia Code Section 15.2-1427(F). In no event shall the ordinance be effective for more than 6 months. Mr. Brown stated that he would ask that Staff and the Board hold off on any public hearings on controversial subjects unless absolutely necessary so that the public may engage when it is safe to do so.

Mr. Jeff Stoke, Deputy County Administrator and Economic Development Director, stated that due to the COVID-19 pandemic, Staff has developed some options to reduce the financial impact to the residents and the businesses. Proposed actions involve the following: Meals Tax, Lodging Tax, Utility Payments, Real Estate Tax, and Personal Property Tax. Mr. Stoke presented to the Board tax relief measures taken or under consideration in communities within the region and around the State. Staff has developed a package of possible tax relief options in the form of waivers on penalty and interest and extending due dates. Normal penalty and interest budgeted for and collected in FY20 would be waived for the time periods identified. Governor Northam has issued Executive Order 53, which instructs citizens to stay at home until June 10, 2020. Either moving the tax due date to June 26 or extending the waiver of penalty and interest to a future date would keep the County aligned with State government orders. The current due date for certain County taxes is June 5th. The Board of Supervisors has the power to extend certain tax due dates for 90 days. Staff is recommending waiving penalty and interest on amounts due April and May 20 with the full amount due June 20 on meals and lodging tax. Mr.

Webb stated that it is going to take time for people to recover from this. He would like to see it extended to August 20. Mr. Brown agreed that it should be extended to August across the Board. Staff is recommending waiving penalty and interest on payments due in May and June 15th with the full payment due July and August respectively for utility fees. Mr. Webb stated that no one's water should be shut off. Mr. Brown agreed that this will take time and we may want to come back and address this in July for another extension. Staff is recommending moving the due dates for real estate tax and personal property tax to June 26 with the suggestion to urge the Treasurer to waive penalty and interest through July 31, 2020. The Board agreed that they would like to do an emergency ordinance to waive the penalty and interest on real estate and personal property tax through August 31. Mr. Stoke stated that they will bring it forth for adoption on April 14, 2020.

Ms. Betsy Drewry, Deputy County Administrator and Finance Director, discussed COVID-19 potential revenue and budget impacts. It cannot be predicted with scientific accuracy. The duration of the pandemic is unknown therefore it is too soon to tell the current FY2020 revenue impacts. The length of time period for recovery is unknown as well and the behavior of consumers is not predictable. The tourism and hospitality industries are the most vulnerable now. There is also a lag in State sales tax and BPOL taxes. It is predicted that people will not be able to pay their real estate and personal property taxes on time. There should be limited impact on permit and planning fees. The Courts are currently shut down and it is too soon to know the impacts of that yet. They have processed over \$34,000 in refunds for recreation registration fees. Police has shut down fingerprinting and are not working any special events. This will cause a reduction as well. All of this could create a significant impact. Ms. Drewry discussed possible General Fund and Special Revenue Fund impacts for FY20. The projected impact for FY20 General Fund Revenues is \$1,441,048. Mr. Brown stated that he would hope that no one is being turned over to collections at this time. He also suggested that the County put a hold on expenditures for the current budget that are non-essential. He thinks the main focus should be keeping our employees on the payroll. Mr. Webb agreed they should be on hold and can be picked up later. Ms. Drewry stated that they can provide the Board with a list of projects at the next budget work session. Mr. Webb stated that he also thinks they should have a conversation with the School System to discuss any cost savings they may have from shutting down early. The estimated drop in the Tourism Fund will be about \$108,480. The estimated drop in the Economic Development Fund will be about \$334,140. Ms. Drewry stated that she does not believe there is a need for drastic expenditure reductions for FY2020. However, there is a need to carefully evaluate any requests for "carryover" or appropriation of excess revenue. The Fund balance needs to be maintained in the event revenues fall shorter than anticipated to potentially meet County and School operating needs. Ms. Drewry discussed possible General Fund and Special Revenue Fund impacts for FY21. Delinquent tax collections will be an impact. In addition, the Governor has not signed on the County's request on the lodging tax increase. Other potential impacts will depend on the Board's decision on the proposed permit fee increases, BPOL tax increases, School Revenue sharing carve out adjustments, and any reduction the Board may choose to make to the real estate tax. Mr. Webb stated that they do need to look at these carve outs. It is important and they need to deal with it. There needs to be more discussion on that. Ms. Drewry stated that they will need to make reductions to proposed expenditures based on updated revenue estimates and any other Board actions related to revenue. Staff will provide recommendations to the Board and gain majority consensus on revisions prior to adoption. For FY21, the estimated COVID impact on the Tourism Fund will be about \$135,660 and about

\$260,000 on the Economic Development Fund. Mr. Brown stated for the record that he had originally asked for a 3 to 5% reduction in the FY21 budget before anyone had seen COVID-19 coming. Had we done that, we would be making a lot less adjustments because of the COVID-19.

Ms. Corrie Hurt, Human Resources Director, gave an update on the Families First Coronavirus Response Act. The Families First Coronavirus Response Act was signed by President Trump on March 18th and went into effect on April 1 and will remain in effect until December 31st. It provides emergency paid sick leave and expanded Medical Leave Act benefits. Full-time employees are eligible to receive up to 80 hours of paid sick leave. Part time employees are eligible to receive up to the equivalent of the number of hours, on average during a two-week period. Employees subject to a federal, state or local quarantine or isolation, self-quarantine under the advisement of a health care provider, or experience symptoms of COVID-19 and seeking a medical diagnosis, will receive their regular rate of pay, but not to exceed \$511/day and \$5,110 in total for 80 hours. Employees caring for an individual with COVID-19, caring for their child whose school has been closed, or experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, will receive their regular rate of pay not to exceed \$200/day and \$2,000 in total for 80 hours. The employer will allow employees who earn other leave time to use 1/3 of their time to earn a full paycheck when only receiving 2/3 for the previous mentioned reasons. The emergency paid sick leave is never entitled to any payouts if the employee leaves prior to December 31st. Expanded FMLA benefits can only be used when an employee whose child's school or place of care is closed due to the COVID-19 public health emergency. The employee may take up to 12 weeks of leave. The first two weeks are unpaid, however, the employee can use the two weeks of emergency paid sick leave and would be left with an entitlement of ten weeks of FMLA. Other FMLA that was used during a rolling 12-month period counts towards the total 12-week FMLA entitlement. Employees would be paid for the remaining ten weeks at a rate of 2/3 their regular rate of pay. Employees will not receive more than \$200/day or \$12,000 for the twelve weeks that include both paid sick leave and expanded FMLA. Employees who earn leave time can supplement their own leave at 1/3 per week to earn full wages. Despite any misconceptions, First Responders are included in the new Act and will be entitled to the same benefits as all other employees. The Response Act provides a tax credit to some employers to cover costs; local government is not currently eligible. The County has set up new pay codes to track the expense in the event that there is a new legislation that will allow local government to recoup the expense. The County will continue to pay FICA on these wages instead of deferring the cost. Prior to the new paid emergency sick leave and expanded FMLA benefits, County employees were given CV-Admin leave at 40 hours per week for full time, 53 hours per week for Fire and EMS, and 20 hours per week for part time employees. Leave was given for three weeks beginning March 16th so that to the extent possible, Staff in each office could be reduced by 50% to decrease the number of people working in offices each day. Some employees have been able to telework while others who do not have the ability to telework have taken their leave time to stay home or have reported to work as normal. The County has also opted in with Anthem to pay the member cost share for COVID-19 related testing and treatment. The member cost share has also been removed for telehealth benefits in addition to mental health visits through Live Health Online.

Ms. Drewry talked about some revenue fine tuning addressing Compensation Board Revenues, a School Resource Officer correction, and HB599 Police funding. Preliminary information from the Compensation Board showed potential increases for a minimum salary adjustment, underfunded positions, a 2% bonus, and minimum wage adjustment, all of which totaled \$46,290. Ms. Drewry stated that this is now unlikely. The Sheriff's Department is undergoing some staffing changes due to retirements. The final impact to State funding is to be determined. The Board was informed at a previous budget work session that a \$53,263 reduction in the School Resource Officer Grant revenue will be necessary. One grant was included in the proposed FY2021 budget in error as it expires in FY2020 so that will be taken out. State funding for Police funding is subject to change due to COVID-19. The County will not know until late April or early May.

Ms. Drewry stated that as the County navigates in the next few weeks, Staff will be requesting authority to advertise public hearings on tax rates, BPOL tax, permit fees, and utility fees. It will be the Board's decision as to whether any of these rates will be increased.

Ms. Drewry talked about Worker's Compensation and the experience factor impact. The insurance carrier indicated that the experience factor was increased based on the prior three years of claims. The factor is increasing from .89 to .98. This will result in an increase in worker's compensation costs of \$22,133.

Ms. Drewry talked about the General Assembly State Supported Employees. The Governor's proposed budget included some provisions for increases for some State supported employees. Those provisions were a 2% bonus, compression increases, a slight increase for currently underfunded positions, and a minimum wage increase. It is unlikely these items will be funded. Therefore, Department of Social Services revenue might require an adjustment/reduction.

Ms. Drewry talked about the modified revenue sharing calculation that was approved in August, 2019. The carve-outs included were increases/resources for School Capital Projects or improvements, increases/resources for Fire/EMS Apparatus, and increases/resources for public safety operating costs and capital projects. The public safety carve out including a SAFER grant revenue loss, additional positions, increases in supplies, materials, contracted services and fees, and fire stations renovation/construction. Ms. Drewry stated that they need the Board's consensus to finalize calculation and complete budget recommendations for adoption. The Board agreed that they need to talk about that on April 14.

Ms. Drewry recommended at least two more budget work sessions. The Board agreed. Ms. Drewry stated that she will be bringing them dates on April 14. Ms. Drewry went over some upcoming key dates. The Board asked for additional time and stated that they would like to see the budget public hearing, the public hearing on tax rates, and the adoption of the budget pushed back two weeks each. This would make the budget public hearing and the public hearing on tax rates on May 12. The budget adoption will be on May 26.

Mr. Stoke talked about the public meeting processes during the COVID-19 pandemic. This process will apply to any County meeting until June 10, per the Governor's Executive Order 55. A quorum of the Board shall meet in person. Up to two Board members may call in via phone.

The Board shall be spaced apart on the dais with the County Administrator and County Attorney seated in the audience area. There shall be 10 or less in the room at all times. The audio in the hallway will remain on for people outside the boardroom. Media will be allowed in the boardroom. The meeting will be live streamed using YouTube Live, a free service, via the County channel. <https://www.youtube.com/channel/UCPaxeUhttBCa40GquhPNmxQ>. Staff will provide play-by-play updates on the County Facebook and Twitter page for those who cannot video stream due to poor internet/cell service or data costs. There are three types of public comments:

- 1) General Public Comments at the beginning of Board meetings.
- 2) Public Hearing Comments on specific public hearing topics.
- 3) Planning Commission Comments during Planning Commission meetings.

There are two options to provide public comments:

- 1) Appear in person at the meeting. All citizens will be lined-up in the hallway spaced six feet apart at the direction of staff. A moderator will call in public speakers one at a time to the podium. The public speakers will leave the boardroom once finished.
- 2) Using the Prince George County website public comment form. https://www.princegeorgecountyva.gov/departments/board_of_supervisors/public_comment_form.php. We request that all public comments be submitted before 5pm on meeting days so that the members will have a chance to review the comments. Comments will be sent directly to the County Board and appropriate County staff. General Public Comments will not be included in the official minutes after the public comment period closes per the time noted by the Clerk. Public Hearing Comments will not be included in the official minutes after the public hearing closes per the time noted by the Clerk.

PGC Guest Wi-Fi will be available in the building using the password: pgcguest. Mr. Webb asked the County Attorney that since some citizens will not have access because of lack of resources, can the Clerk put the draft minutes of each meeting on the website after the meeting. The County Attorney said that would be permissible as long as it is marked DRAFT. The Board agreed to give the Clerk two business days to post the DRAFT minutes on the website following each meeting during the COVID-19 process. There was some discussion at Mr. Brown's suggestion, of checking into ZOOM for streaming meetings. Mr. Brown stated that ZOOM also provides a phone number that people can call into and can hear and engage in meetings over the phone.

County Administrator, Percy Ashcraft, stated that County offices are currently closed to the public. However, the County is still doing business and can be contacted by phone and email. The County employees are currently working under staggered staffs. He did propose to the Board that they continue to follow the Governor's Order and continue to be closed to the public for two more weeks. The Board consented. Voicemail at the County's offices is currently down. Therefore, if you call someone and do not reach them, please continue to call until you do or send them an email. Mr. Ashcraft stated that he is very proud of Prince George County citizens for following the Governor's orders. He also commended the first responders for all of the work that they are doing. In addition, the Food Bank is fully stocked and is open Tuesdays and Fridays from 10:00 am until Noon. Wellness checks are also being made to the elderly.

ADJOURNMENT. Mr. Webb made a motion, seconded by Mr. Brown, to adjourn the meeting at 8:25 p.m.

[Draft Minutes prepared April 11, 2020 for consideration on April 28, 2020; adopted by unanimous vote.]

Donald R. Hunter, Chairman
Chairman, Board of Supervisors

Percy C. Ashcraft
County Administrator

DRAFT

MINUTES
Board of Supervisors
County of Prince George, Virginia

April 14, 2020

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 7:00 p.m. on Tuesday, April 14, 2020 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
Alan R. Carmichael, Vice-Chairman	Present
Floyd M. Brown, Jr.	Present
Marlene J. Waymack	Present (Electronically from 7110 Laurel Spring Road, Prince George, VA due to COVID-19 self-quarantine)
T. J. Webb	Present

Also present was: Percy Ashcraft, County Administrator; Betsy Drewry, Deputy County Administrator; Julie Walton, Deputy County Administrator; and Dan Whitten, County Attorney.

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 7:03 p.m.

William Steele (County Line Road). Mr. Steele stated that he did a survey and learned that Prince George County is the fourth highest tax county in the 15- county region. He then went on the County website and looked at the expenditures. He stated that he was stunned at the waste and abuse of taxpayer dollars. Mr. Steele reported that he saw \$17,000 was spent on Christmas decorations, \$123,000 in cell phone services with a high of \$3,000 per month by the Police Department, \$528 a month for cable TV at some of the fire departments, and \$22,000 on non-travel meals. He called it waste and abuse. Mr. Steele stated that if this does not stop, he will contact the Commonwealth's Attorney and local news outlets to investigate. He asked Mr. Carmichael to consider putting a motion in to cut budget by 5%, 7% and 9%. He told the County Administrator if that mean cutting employment, then so be it.

There being no one else to speak, Chairman Hunter closed the public comments period at 7:06 pm.

APPROVAL OF AGENDA. Mr. Webb made a motion, seconded by Mr. Brown, to adopt the agenda as presented. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

R-20-037

C-2.

RESOLUTION; APPROVAL OF REFUND OF BANK FRANCHISE TAX TO BRANCH BANKING & TRUST COMPANY (\$18,072)

WHEREAS, The Virginia Department of Taxation has ruled that a \$18,072 refund is due to Branch Banking and Trust Company (BB&T) for amended tax returns filed for 2012, 2013 and 2014; and

WHEREAS, the Commissioner of Revenue has executed a certificate with the consent of the County Attorney that the Tax Commissioner ruled that a refund is due to BB&T for excess bank stock taxes paid for tax years 2012, 2013 and 2014 in accordance with Virginia Code §58.1-3981; and

WHEREAS, in accordance with Virginia Code §58.1-3981, the Board of Supervisors shall direct the Treasurer to refund the excess to BB&T; and

WHEREAS, the normal practice is to pay such refunds from the revenue account in which the tax was originally deposited;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby authorize a payment of \$18,072 to Branch Banking & Trust Company from Bank Stock Tax Revenue account 0100-10-502-8108-312601.

R-20-037A

C-4.

RESOLUTION; ACCEPTANCE OF BRANCHESTER LAKES SUBDIVISION
SECTIONS 14 AND 15 INTO VIRGINIA DEPARTMENT OF TRANSPORTATION/
SECONDARY SYSTEM OF ROADS MAINTENANCE

WHEREAS, Branchester Lakes Subdivision Sections 14 and 15 have been completed,
and

WHEREAS, the streets of Branchester Lakes Subdivision Sections 14 and 15 meet the
public service criteria of the Subdivision Street Requirements; and

WHEREAS, the development sketch and VDOT Form AM 4.3, attached and
incorporated herein as part of this resolution, define additions required in the Secondary System
of State Highways as a result of construction; and

WHEREAS, certain segments identified on the incorporated Form AM 4.3 are ready to
be accepted into the Secondary System of State Highways.

NOW THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department
of Transportation to add the segments identified on the incorporated Form AM 4.3 to the
Secondary System of State Highways, pursuant to §33.2-705 of the *Code of Virginia*, for which
segments this Board hereby guarantees the right of way to be clear and unrestricted, including
any necessary easements for cuts, fills, and drainage, and

BE IT FINALLY RESOLVED, a certified copy of this resolution be forwarded to the
Virginia Department of Transportation.

R-20-037B

C-5.

RESOLUTION: ALLOWING FOR AND GOVERNING PARTICIPATION OF
BOARD MEMBERS BY ELECTRONIC COMMUNICATION MEANS

WHEREAS, the Code of Virginia Section 2.2-3708.2 allows Boards to conduct public
business through electronic communication means.

WHEREAS, the policy will allow participation of Board members through electronic
communication means. A member can participate electronically after giving notice to the
Chairman that he/she is unable to attend either due to (i) a temporary or permanent disability or
other medical condition; or (ii) a personal matter which must be identified.

WHEREAS, a quorum of the Board must be physically assembled in one location; make
arrangements for the remote member to be heard; and the location and reason why the member
could not attend the meeting will be recorded in the minutes by the Clerk.

WHEREAS, the policy will allow for an electronic meeting without a quorum physically present when the Governor has declared a state of emergency provided that the catastrophic nature of the emergency makes it impracticable or unsafe to meet in one location.

WHEREAS, the purpose of the meeting must be to address the emergency; notice of the meeting must be given using the best available method at the same time members get notice; arrangements must be made for public access; and the minutes must state the nature of the emergency, fact that the meeting was held electronically and type of electronic communications means.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby adopt a Resolution allowing for a policy governing participation of board members by electronic communication means as authorized under Virginia Code Section 2.2-3708.2.

O-20-06

C-6.

EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 16, 2020 at 08:41:37, in accordance with Virginia Code § 44-146.21, the Prince George County Director of Emergency Management declared a local state of emergency in Prince George County.

WHEREAS, on April 9, 2020, the Board of Supervisors of Prince George County, Virginia confirmed, pursuant to Virginia Code § 44-146.21 the declaration of local emergency made by the local director of emergency management on March 16, 2020; and

WHEREAS, the Board of Supervisors of Prince George County, Virginia finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code §44-146.16 being a “communicable disease of public health threat;” and

WHEREAS, while the Board of Supervisors values transparency in government and public engagement, it also finds that emergency measures are necessary to mitigate the spread of COVID-19 and to protect the health, safety, and welfare of residents and employees, while still providing for government operations to continue during this state of emergency; and

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, Virginia Code § 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his absence may upon the declaration of a local emergency “proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to performance of public work;” and

WHEREAS, Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of the Board of Supervisors of Prince George County, Virginia may convene solely by electronic means “to address the emergency;” and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act (“FOIA”) are limited only by a properly claimed exemption provided under that Act or “any other statute;” and

WHEREAS, on March 23, 2020, Governor Northam issued Executive Order Number Fifty-Three which among other items further restricts the number of persons who can gather in one place in public or private to less than 10 people; pursuant to Section 9(e) of this Executive Order, nothing in the order shall limit the operation of government; and

WHEREAS, The Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

WHEREAS, Virginia Code § 15.2-1200 provides the county with authority to adopt necessary regulations to prevent the spread of contagious diseases among its residents; and

WHEREAS, the Board of Supervisors also has the inherent authority to vary the county's policies, procedures and practices to assure the continuity of government operations; and

WHEREAS, this emergency ordinance in response to the disaster caused by the COVID-19 pandemic promotes public health, safety and welfare and is consistent with the law of the Commonwealth of Virginia, the Constitution of Virginia and the Constitution of the United States of America; and

WHEREAS, the Board of Supervisors directs staff to advertise a public hearing for May 26, 2020, to consider readopting this emergency ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Prince George County, Virginia:

1. That the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the Board of Supervisors, the Industrial Development Authority, the Planning Commission, Board of Zoning Appeals, Board of Equalization (collectively "Public Entities" and individually "Public Entity"), or for such Public Entities to conduct meetings in accordance with normal practices and procedures.
2. That in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of government during this emergency and disaster:
 - a. Any meeting or activities which require the physical presence of members of the Public Entities, where essential functions need to be considered, may be held through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location; and
 - b. Prior to holding any such electronic meeting, the Public Entity shall provide public notice of at least 3 days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment; and
 - c. Any such electronic meeting of Public Entities shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with this Ordinance; identify Public Entity members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and
 - d. Any such electronic meeting of the Public Entities shall be open to electronic participation by the public and closed to in-person participation by the public;

and

- e. For any matters requiring a public hearing, public comment may be solicited by electronic means in advance and shall also be solicited through telephonic or other electronic means during the course of the electronic meeting. All such public comments will be provided to members of the Public Entity at or before the electronic meeting and made part of the record for such meeting; and
- f. The minutes of all electronic meeting shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Public Entities may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended.

IT IS FURTHER ORDAINED, that notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Entity, its officers (including Constitutional Officers) and employees of its organization shall be suspended during this emergency and disaster, however, the Public Entities, officers and employees thereof are encouraged to take such action as is practical and appropriate to meet those deadlines. Failure to meet any such deadlines shall not constitute a default, violation, approval, recommendation or otherwise.

IT IS FURTHER ORDAINED, that non-emergency public hearings and action items of Public Entities may be postponed to a date certain provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED, that the provisions of this Emergency Ordinance shall remain in full force and effect for a period of 60 days, unless amended, rescinded or readopted by the Board of Supervisors of Prince George County, Virginia in conformity with the notice provisions set forth in Virginia Code §15.2-1427 but in no event shall such ordinance be effective for more than 6 months. Upon rescission by the Board of Supervisors of Prince George County, Virginia or automatic expiration as described herein, this emergency ordinance shall terminate and normal practices and procedures of government shall resume.

Nothing in this Emergency Ordinance shall prohibit Public Entities from holding in-person public meetings provided that public health and safety measures as well as social distancing are taken into consideration.

An emergency is deemed to exist, and this ordinance shall be effective upon its adoption.

This ordinance shall expire after 60 days unless re-adopted by the Board of Supervisors after public notice.

R-20-037C

RESOLUTION CONFIRMING AGREEMENT FOR MUTUAL AID FOR CERTAIN PANDEMIC RELATED SERVICES AMONG DESIGNATED LOCALITIES IN THE CRATER HEALTH DISTRICT AND THE VIRGINIA DEPARTMENT OF HEALTH

WHEREAS, the World Health Organization characterized the spread of COVID-19 virus as a pandemic on March 11, 2020; and

WHEREAS, the Governor declared a state of emergency on March 12, 2020 related to the COVID-19 virus; and

WHEREAS, the parties hereto desire to secure to each other the benefits of mutual aid in situations involving services related to the COVID-19 pandemic, including, but not limited to, contact tracing, but specifically excluding fire and rescue services, which are for most signatories covered by separate agreements; and

WHEREAS, the directors of emergency management for each city and county that is a party hereto are authorized to enter into this agreement by § 44-146.19(D), Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, that the Prince George County Board of Supervisors confirms the Agreement for Mutual Aid for Certain Pandemic Related Services Among Designated Localities in the Crater Health District and the Virginia Department of Health by the County Administrator on April 14, 2020 and that the County Administrator is empowered and directed to execute an Agreement for Mutual Aid.

R-20-037D

C-8.

RESOLUTION; PROCLAMATION; NATIONAL VOLUNTEER WEEK; APRIL 19-25, 2020

Whereas, the theme for National Volunteer Week is “Shining A Light On The People And Causes That Inspire Us To Serve,” which is being observed from April 19 – 25, 2020; and

Whereas, National Volunteer Week is sponsored by the Points of Light Institute and Hands On Network, highlighting ordinary actions of volunteers who accomplish the extraordinary through service; and

Whereas, the purpose of this week is to honor and thank the individuals who dedicate themselves to making a difference in our County; and

Whereas, National Volunteer Week also inspires, recognizes, and encourages residents to work together, solve problems, and accomplish goals; and

WHEREAS, Volunteers are the lifeblood of our schools and shelters, hospitals, and faith-based and community groups. From mentoring at-risk youth and caring for older Americans to supporting our veterans and military families to fighting fires and saving lives in medical emergencies, to coaching children in recreational sports, these everyday heroes make a real and lasting impact on the lives of our citizens; and

Whereas, Volunteers all over this County make Prince George County a great place to live, learn, work, and raise a family.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Prince George County, this 14th day of April, 2020, does hereby proclaim April 19-25, 2020 National Volunteer Week in Prince George County; and

BE IT FURTHER RESOLVED, that this Board recognizes its outstanding volunteers and encourages all County Departments and Offices to acknowledge National Volunteer Week.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

SUPERVISORS COMMENTS

Mr. Carmichael commended everyone that has been providing services to the County.

Mr. Webb concurred with Mr. Carmichael's comment, especially Fire and EMS.

Mr. Brown thanked the citizens for adhering to social distancing and he thanked the employees for continuing to get the job done.

Chairman Hunter commended everyone for being safe and looking out for each other.

Mrs. Waymack thanked all of the medical workers on the front line. She asked everyone to continue social distancing and hand washing.

COUNTY ADMINISTRATOR COMMENTS

Mr. Percy Ashcraft presented the Board with his report of upcoming dates and updates. He stated that there have been 27 confirmed cases in Prince George County according to state statistics. As of April 4, 656 Prince George residents have filed new unemployment claims. As of April 10, 255 new applications have been received for SNAP, Medicaid & TANIF benefits in Social Services. USDA warns of scams targeting SNAP recipients received through Department of Social Services. Prince George Food Bank representatives have seen an increase in visitors since non-essential businesses have closed. Donations are necessary to keep up with the increasing demand for services. County Government employees are holding a concerted drive this week to attempt to increase the inventory. Brighter Living Nursing Facility has been in quarantine since March 12 and has no reported cases of the coronavirus. They have 85 patients. County Government has provided gowns because they are in low supply, and also considering

hand sanitizer. Business owners are urged to contact the Small Business Development Corporation (SBDC) at (804) 518-2003 for information on loan/grant application assistance. Virginia State and Richard Bland College to offer rebate plans to students due to coronavirus pandemic. Virginia Tech study ranks Prince George County as the 6th best locality in the Commonwealth to be able to handle financial adversity related to the coronavirus pandemic. Crater Health District sends out new 'Health Alert' to answer questions about the coronavirus and the importance of 'social distancing.'

REPORTS

VDOT – Ms. Crystal Smith of the Virginia Department of Transportation gave a maintenance report. She stated that VDOT has taken on many safety measures due to COVID-19. She asked that everyone try to reach them by phone. All of their current contracts are underway, including slurry seal surface and plant mix. They will be working in Templeton Estates, Wildwood Farms, and Huckleberry Hills this week. The Route 460/Bull Hill Road Intersection project is getting ramped up. The completion date is November, 2020. The on-call patching contractor is currently doing significant patching along Hines Road. They are also currently working on a task order to have some additional patching done on North Normandy. The district-wide tree trimming contractor has completed tree trimming in Prince George and now working on spraying a broadleaf growth inhibitor. The on-call ditching contractor started on Providence Road. They are going to ditch that road from Route 36 to Rives Road. They are also going to move to Spain Drive from the Dinwiddie County line to Tartan. The sweeper vac is expected to start next week. The spray injection machine is working in Prince George this week and will return again on May 11. This time of year they would typically be looking at preparing for the Secondary Six-Year Plan. At this time, she does not anticipate adding any additional projects though there will be some additional funds in out-years that will need to be allocated. There will need to be discussions about that in the coming months. Ms. Smith stated that she will probably be recommending that all of the additional funding go to the roundabout at Middle Road and Jefferson. A public hearing can be held anytime throughout the year because the current plan is approved until 2025. She stated also in the coming months they will need to talk about how to spend safety funds that are currently available. For that, she will probably be recommending some trench widening along Route 156, a turn lane from Ruffin to Route 10, or a corridor study along Route 460. The mumblestrips will be completed in about two weeks. Mr. Carmichael expressed concerns from citizens on the pothole repair on Butler Branch Road.

ORDER OF BUSINESS

A-2. Authorize the Police Department to Complete and Submit a Virginia Port Authority Grant Application for Two Outboard Motors for Marine Vessel. Chief Keith Early stated that he is requesting authorization to apply for a Virginia Port Authority Grant to purchase new, twin, Mercury, 200hp, outboard motors for the current, police, marine vessel. The current marine vessel is a 2005, commercial grade, 24' Boston Whaler powered by twin, mercury outboard motors. The motors are original to the 15 year- old vessel; they are at the end of their projected life-span. The need to re-power the marine vessel is recommended, regardless of grant opportunity. The grant submission will request funds for new, twin, 200 HP, Mercury, outboard motors. The total, not to exceed amount for this grant is \$50,000. If awarded, the grant requires a 25% match from the County. The required, County match would be no more than \$12,500.00. However, Chief has received an updated quote of \$38,000, changing the local match to \$9,500.

They also expect to be able to sell the current motors for \$7,000. The cost of a new vessel would be about \$318,000. Mr. Webb asked where the money would come from. Chief said that might be able to absorb that in their current budget. Mr. Carmichael made a motion, seconded by Mr. Webb, based on maintain the County's assets, to approve the resolution as presented. Mr. Brown asked for clarification that this resolution just allows permission to apply for the grant. Chief stated yes. Roll was called on the motion.

R-20-038

A-2.

AUTHORIZE THE POLICE DEPARTMENT TO COMPLETE AND SUBMIT A VIRGINIA PORT AUTHORITY GRANT APPLICATION FOR TWO OUTBOARD MOTORS FOR MARINE VESSEL

WHEREAS, the Police Department is requesting approval of the Prince George County Board of Supervisors to apply for a grant to purchase new, twin, Mercury, 200hp, outboard motors for the current police marine vessel; and

WHEREAS, the total award is not to exceed \$50,000 with a local match no more than \$12,500; and

WHEREAS, the current marine vessel is a 2005, commercial grade, 24' Boston Whaler powered by twin, mercury outboard motors and the motors are original to the 15-year old vessel; and

WHEREAS, the need to re-power the marine vessel is recommended, regardless of grant opportunity.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby authorize the submission of a grant application to the Virginia Port Authority for a grant not to exceed \$50,000, which requires a local match of \$12,500 from General Fund contingency or General Fund, Fund Balance.

that will require borrowing as part of the spring 2019 bond issuance for the purchase of a new police boat.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

PUBLIC HEARINGS

P-1. Public Hearing; Consideration of Equalization of Tax Rate Based on Assessment.

Ms. Betsy Drewry, Finance Director, stated that on March 10, the Board of Supervisors approved the advertisement of an effective real estate tax increase due to increase in assessed values. The advertisement was run in the *Progress Index* in the Fri-Sat March 13-14, 2020 edition as required. The County Administrator proposed the Fiscal Year 2020-2021 budget at the February 25, 2020 board meeting and recommended no increase in the Real Property Tax Rate or Personal Property tax rate. The board received preliminary information on an increase in assessed real property values at its pre-budget work session on December 16, 2019. The board received updated information at its budget work session on March 7, 2020. The assessed values (excluding new construction and improvements) have grown by more than 1%. Estimated FY2021 assessed values, net of new construction and improvements, have grown by 7.3% over 2020 values. The equalization rate would be 80¢ (a 6¢ reduction from the current 86¢ rate). See attached Equalization Rate calculation prepared by Rod Compton, County Assessor. If the assessed value increases by more than 1% (excluding new construction and improvements), §58.1-3321 Code of Virginia, the County must reduce tax rate so that revenues ≤ 101% of prior year levies (equalization / “reduced rate”) or the County may increase tax rate after advertising and holding public hearing with notice of the “effective tax rate increase.” There has been no recommendation to lower the tax rate to 80¢, and the proposed budget called for keeping the real property tax at \$.86. If there is a .06 reduction in the tax rate, there will be a reduction of \$1,680,000 in projected revenues. Mr. Webb stated that the Board needs to have more work sessions and work through this list for possible cutbacks. He is also not comfortable with the “carve outs.” He stated that they can always come back and do a revised budget after the first quarter. He is also not comfortable advertising the tax rate at .86 even if they can go less. He would like to work through it before advertising it. Mr. Brown agreed. He is not in a position to set a rate at this time. The Board agreed that they need to talk more about it. Chairman Hunter opened the public hearing at 7:46 p.m.

Mr. William Steele (County Line Road). Mr. Steele stated that he is disappointed to hear that staff is recommending .86. The Board needs to ask for a decedent list 5%, 7%, or 8% tax reduction.

There being no one else to speak, Chairman Hunter closed the public hearing at 7:47 p.m. No further action was taken at this time.

TABLED ITEMS

T-1. Resolution; Proposed Addition Prince George County Personnel Policies; Section 330.1 Through 330.14, Entitled *Non-Travel Food and Beverage Purchases*. Ms. Drewry stated that The Board of Supervisors received information at its February 25, 2020 work session and again at its March 10, 2020 board meeting related to administrative policy addition for Non-Travel Food and Beverage Purchases (330.1-330.14). This policy addition focuses on providing guidance and imposing limitations on the use of public funds when making food and beverage purchases when not in a business travel status. At the March 10 meeting some board members requested that average per person spending be examined for Community Events, Citizen and Advisory Groups, Board and Commissions, Board of Supervisors Meetings, Human Resource Hosted Employee and Employee Recognition Events. Additionally, there was concern expressed regarding whether the \$3.00 per person light refreshment limit was too low. Staff also received a

request to consider adding the ability to provide refreshments for retirement receptions. Suggested language has been added to section 330.12 allowing one retirement reception for employees with a minimum of 10-years of Prince George County service at a \$5.00 per-person limit. A sampling of community events, Board and Commission meeting and Human Resource hosted events was examined, and the per-person expenditure is provided. As a result of that review, some revisions were made to draft policy 330.1-330.14. §330.3 – Community Events & Programs Disaster Preparedness Workshop moved to \$5.00 per person category (currently \$0 in County funds utilized); §330.4 - Citizen and Advisory Groups, Boards and Commissions moved to meal allowance at G S A rates for meetings conducted through meal time. §330.5 – Board of Supervisors Meetings moved to furnish meal at G S A limit for meetings with a closed session. §330.9 – County Hosted Visits Regional Meetings moved to refreshment limit at \$5.00 and if meeting time extends through a meal time, for meals at G S A limit. §330.12 – Human Resource Hosted Employee and Employee Recognition Events added “Heavy Refreshments” language to \$5.00 category, moved Patriot’s Day Event from \$3.00 to \$5.00 limit category, moved Youth Workforce Academy Reception from \$3.00 to \$5.00 limit category, moved Annual Employee Appreciation Day Picnic/Meal from \$5.00 limit to G S A limit category, added Retirement Receptions event to \$5.00 limit category (one reception per retiree with 10 years Prince George County service), and added Bring your Child to Work Day to \$5.00 limit category. An updated draft of the recommended policy is included for board review. Mr. Brown asked if there has ever been anything presented, especially for a retirement reception, in the way of a potluck. Mr. Webb also suggested that meetings be planned around meal times. Mr. Webb asked how much money does Ms. Drewry think will be saved with these changes. She stated that she is not sure at this time. Mr. Ashcraft also stated that some of these events may be cut out altogether. Mr. Webb made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-20-039

T-1.

RESOLUTION; PROPOSED ADDITION PRINCE GEORGE COUNTY PERSONNEL POLICIES; SECTION 330.1 THROUGH 330.14, ENTITLED *NON-TRAVEL FOOD AND BEVERAGE PURCHASES*

WHEREAS the Prince George County Personnel policy has been reviewed by staff and it has been determined that a new policy entitled *Non-Travel Food and Beverage Purchases* is needed;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby amend the Prince George County Personnel Policies by adding the policy entitled *Non-Travel Food and Beverage Purchases* as requested.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

T-2. Ordinance to Amend “The Code of the County of Prince George, Virginia”, 2005, as Amended, by Amending § 82-313 And 82-595 to Modify Requirements Related to Payment of Utility Connection and User Fees. Mr. Frank Haltom, County Engineer, stated that a public Hearing was held on March 10, to amend Chapter 82 of the County Ordinance to clarify requirements to pay water and sewer connections fees for existing uses along newly constructed water and sewer lines. Following the public hearing the Board requested the language be revised to better define the phrase “no longer adequate,” which would determine when an existing well or septic system would be required to connect to the public utility. The language has been revised to state “no longer able to serve the premises in accordance with federal, state and local requirements.” In addition, language has been added to allow for a prior approved reserve system to also be utilized before connection is required for a single family home. Mr. Carmichael asked if you could drill a new well without being forced to hook up. Mr. Haltom stated that you cannot per the ordinance. Mr. Brown stated that if you have the property to drill another well, you should be able to do that. Mr. Haltom stated that if they modify the ordinance then new home construction being built along existing pipelines will try to take advantage. The Utilities Department has to be able to sustain itself and needs as many new customers as possible. Mr. Webb stated that its not cheap to put a well in. He could see it either way. Mr. Carmichael stated that they do need to support the Utility Department. Mr. Brown stated that he understands both sides as well. Mr. Haltom stated that as they move into the future, construction projects are going to require grants. In order to receive those grants, the County needs to address being environmentally friendly by having as many people hooked up to public water as possible. Mr. Webb made a motion, seconded by Mr. Brown, to approve the ordinance amendment as presented. Roll was called on the motion.

O-20-07

T-2.

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY AMENDING § 82-313 AND 82-595 TO MODIFY REQUIREMENTS RELATED TO PAYMENT OF UTILITY CONNECTION AND USER FEES.

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

(1) That The Code of The County of Prince George, Virginia, 2005, as amended, is amended by amending § 82-313 and 82-595 as follows:

Article II. Water Service

Division 9. Private Water Sources

Subdivision II. Individual Water Supply Facilities

Sec. 82-313. - Continuation of individual system; fees.

Where an existing individual water supply system is providing adequate service to a premises single-family home, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees ~~must still be paid in accordance with section 82-110 and section 82-262, respectively~~ **are not required until such a time the existing individual water supply system, or a prior approved reserve system, is no longer able to serve the premises in accordance with federal, state and local requirements, at which time the property owner must connect to the available public water supply.**

Where an existing individual water supply system is providing service to any multifamily residences, condominiums, townhouses, motels, hotels, trailer, mobile home or manufactured home parks and commercial establishments, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees must still be paid in accordance with section 82-110 and section 82-262, respectively.

Article III. Wastewater Service

Division 7. Private Wastewater Disposal

*Subdivision II. Individual Wastewater Disposal Facilities***Sec. 82-595. - Continuation of individual system; fees.**

Where an existing individual on-site wastewater disposal system is providing adequate service to a premises ~~single-family home~~, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees ~~must still be paid in accordance with section 82-429 and section 82-537, respectively~~ **are not required until such a time the existing on-site wastewater disposal system, or a prior approved reserve system, is no longer able to serve the premises in accordance with federal, state and local requirements, at which time the property owner must connect to the available public wastewater collection system.**

Where an existing individual on-site wastewater disposal system is providing service to any multifamily residences, condominiums, townhouses, motels, hotels, trailer, mobile home or manufactured home parks and commercial establishments, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees must still be paid in accordance with section 82-429 and section 82-537, respectively.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

ORDER OF BUSINESS (cont'd)

A-1. Resolution; Approval of Recommended FY2021 Health, Dental and Vision Insurance Renewals with Recommended Rates as Attached. Ms. Corrie Hurt, Human Resources Director, stated that the 2020-21 renewal from Delta Dental was proposed at the same rates as in FY2019-20 (no increase) for active employees and retirees. Staff and our benefit consultant recommend renewal with Delta Dental on a fully insured basis. The 2020-21 renewal from Anthem Blue View Vision was proposed at the same rates as in FY2019-20 (no increase) for active employees or retirees. Staff recommends renewal with Anthem Blue View Vision. The 2020-21 renewal from Anthem was proposed with no increase in premiums for the County or employees / retirees. Staff recommends renewal with Anthem and to remain combined with the School system. Retirees bear 100% of the cost of health insurance premiums, and there is no increase proposed for 2020-21. The employer contributions to the Health Savings Account (H S A) will remain the same as in FY2019-20. \$1,000 Employee Only; \$1,250 Employee + 1; \$1,500 for Employee + Children / Family. The health insurance renewal also continues two targeted wellness incentives for FY2020-21 that were started in 2019-20 (Waist Incentive and HealthMapRx). Staff is requesting that the Board renew with Delta Dental with no increase, renew with Anthem - Blue View Vision with no increase; and renew with Anthem for health insurance on a combined basis with schools with no premium or H S A contribution increase. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to approve the resolution as presented. Roll was called on the motion.

R-20-040

A-1.

RESOLUTION; APPROVAL OF RECOMMENDED FY2021 HEALTH, DENTAL AND VISION INSURANCE RENEWALS WITH RECOMMENDED RATES AS ATTACHED.

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby authorize renewing for FY2021

Dental Insurance with Delta Dental of Virginia with no increase to active employees or retirees;

Vision Insurance with Blue View Vision with no increase to active employees or retirees;

Health Insurance with Anthem with no increase in premiums for the County or for employees remaining combined for health insurance with the school division.

BE IT FURTHER RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby approve recommended FY2021 rates as provided and attached.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-4. Resolution; Budget Amendment and Appropriation (\$68,287 Social Services Public Assistance Funds for Foster Care Services). Ms. Betsy Drewry, Finance Director, stated that the Department of Social Services received notification of a mid-year increase /amendment to SBL811 funding in the amount of \$68,287.00. The additional funds were provided due to an increase in children receiving foster care services in FY2020. The original budget established for FY19-20 for these expenditures was \$80,000. This increased appropriation will revise the FY2020 budget to \$148,287. There is no local match requirement for these funds. Staff has requested that the Board take action to approve an increase in appropriation for Public Assistance Foster Care funding. Mr. Webb made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-20-041

A-4.

RESOLUTION; BUDGET AMENDMENT AND APPROPRIATION (\$68,287 SOCIAL SERVICES PUBLIC ASSISTANCE FUNDS FOR FOSTER CARE SERVICES)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby authorize the following increase of funds within the FY2019-2020 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>	
0100-20-601-8202-324602 State Public Assistance	\$68,287
 <u>Expenditure</u>	
0100-05-113-0702-45706 Public Assistance ADC / Foster Care 811	\$68,287

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-5. Resolution; Appropriation State Nonarbitrage Program (Snap) Interest Proceeds – Series 2014 C, D & E (\$40,917 to Cover Human Services Cooling Tower Fan and Blower Replacement). Ms. Drewry stated that the Human Services building HVAC replacement was submitted as a CIP project for the FY2021-2030 cycle. The current cooling tower base at the Human Services Building is in need of replacement. The air conditioning will not be functional for this cooling season if the cooling tower base is not replaced. Pricing was obtained to replace the blower and fan section of the cooling tower from Warwick Mechanical Group, the County’s contracted HVAC company. The price to make needed improvements is \$38,917. Mr. Purvis recommends adding \$2,000 as a contingency in the event unanticipated costs are encountered as repairs are underway. The total funding request is \$40,917. Because the cost is under \$50,000, the County Administrator can approve the award to Warwick (purchase order), and the Board does not need to formally approve an award of contract. This purchase is not currently budgeted in the County’s adopted budget and an appropriation is needed. The recommended funding source is an appropriation from the Capital Improvement Fund, Fund Balance from accumulated SNAP interest revenues (bond issuance Series 2014 C, D & E). An appropriation of \$40,917 from the Capital Improvement Fund, Fund Balance is being recommended for approval. The Board of Supervisors approved an appropriation of \$75,427 to replace the boiler and pump system on November 26, 2019. Mr. Webb made a motion, seconded by Mr. Carmichael to approve the resolution as presented. Roll was called on the motion.

R-20-042

A-5.

RESOLUTION; APPROPRIATION STATE NONARBITRAGE PROGRAM (SNAP) INTEREST PROCEEDS – SERIES 2014 C, D & E (\$40,917 TO COVER HUMAN SERVICES COOLING TOWER FAN AND BLOWER REPLACEMENT)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of April, 2020, does hereby authorize the following increase of funds within the 2019-2020 Budget, such line items increased as follows, which monies to be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

APPROPRIATIONS

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditures (CIP FUND):</u>	
0311-05-113-3202-48120 Human Services Cooling Tower	\$40,917
<u>Revenue:</u>	
0311-40-900-8208-399999 CIP Fund, Fund Balance	\$40,917

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-6. Resolution; Award of Contract to Perform an Evaluation of the Underground Sewer System. This will evaluation will cover all of Birchett Estates, Fountain Ridge, Beechwood Manor, and Rivers Edge. Mr. Haltom stated that the Engineering and Utilities Department seeks to reduce expenses associated with wastewater conveyance and treatment. To gain a better understanding of the condition of the sewer system and determine the level of repairs, an investigation of the sewer system will be conducted utilizing CCTV equipment among other methods. The proposal includes the investigation of portion of the Prince George County sewer system that is conveyed to the Hopewell Water Renewal Facility. This investigation will include the sewer located in Birchett Estates, Fountain Ridge III, Beechwood Manor, and Rivers Edge. A report will be provided with recommendations to correct any deficiencies identified. This project will be completed utilizing the Annual Engineering Services Contract. Individual awards for specific projects in excess of \$50,000 require Board approval. Staff recommends an award of the contract for sewer investigative services to WW Associates. Mr. Webb made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-20-043

A-6.

RESOLUTION: AWARD OF CONTRACT FOR SEWER INVESTIGATION.

WHEREAS, the Engineering and Utilities Department seeks to reduce expenses for wastewater conveyance and treatment. To gain a better understanding of the condition of the sewer system and determine the levels of repairs, an investigation of the sewer system will be conducted utilizing CCTV equipment among other methods; and

WHEREAS, the proposed area to be investigated is a portion of the sewer system that is conveyed to the Hopewell Water Renewal Facility to include the sewer located in Birchett Estates, Fountain Ridge III, Beechwood Manor, and Rivers Edge, collectively identified as Hopewell Area Section 1A and 2A; and

WHEREAS, the project will be completed utilizing the Annual Engineering Services Contract. Individual awards for specific projects in excess of \$50,000 require Board approval. Staff recommends an award of the contract for sewer investigative services to WW Associates in the amount of \$97,450.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 14th day of April, 2020, hereby awards the contract for the Hopewell Area Section 1A and 2A sewer investigation services to WW Associates for \$97,450.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-7. Resolution; Award of Contract (Auditing Services - \$51,000 County/School Audit; \$25,700 Affiliated Entities / Organizations). Ms. Drewry stated that the County is required to have a single audit performed annually for the County and School Board. Additionally, an audit is conducted for a number of affiliated departments and organizations including Industrial Development Authority, School Student Activity Funds, School Parent Teacher Organizations (3) & Booster Clubs (1), Clerk of Circuit Court, Rowanty Vocational Technical Center, and Prince George Education Foundation. The final annual renewal with Robinson, Farmer, Cox Associates, the incumbent firm, ended with the performance of our FY2019 audits. RFP #20-0402-23 "Auditing Services" was issued on February 13, 2020 and closed on March 12, 2020. This RFP and any addenda are available upon request and also available to view on eVA (the Commonwealth of Virginia's procurement platform). Four proposals were received and evaluated by a staff committee consisting of Betsy Drewry, Deputy County Administrator, Finance; Monique Barnes, School Finance Director; and Lori Robertson, Accounting Supervisor. Robinson, Farmer, Cox provided a pricing proposal. The pricing provided is comparable to the current fees. The County /School audit fee did increase by \$6,500. This is as a result of increased work created by several recent and/or upcoming Governmental Accounting Standard Board (GASB) pronouncements related to pensions (VRS disclosure); Other Post-Employment Benefits (OPEBs); Leases and Fiduciary Responsibilities. The staff recommendation is to continue auditing services using Robinson, Farmer, Cox and Associates for the two audit cycles of FY2020 and FY2021 with eight (8) possible annual renewals available. Mr. Carmichael made a motion, seconded by Mr. Webb to approve the resolution as presented. Roll was called on the motion.

R-20-044

A-7.

RESOLUTION; AWARD OF CONTRACT (AUDITING SERVICES - \$51,000 COUNTY/SCHOOL AUDIT; \$25,700 AFFILIATED ENTITIES / ORGANIZATIONS)

WHEREAS, On February 13, 2020 a Request for Proposals was advertised by the Finance Department to obtain proposals for Auditing Services (RFP 20-0403-23). The RFP closed on March 12, 2020 with four (4) responses. The most qualified and highest scoring firm was Robinson, Farmer, Cox Associates. Staff negotiated pricing of \$51,000 for the County / School combined audit and \$25,700 for affiliated entities and organizations; and

WHEREAS, Staff is requesting authorization for the County Administrator to enter into a contract with Robinson, Farmer, Cox Associates to provide required annual audit services at the negotiated pricing.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 14th day of April, 2020, hereby awards the contract for Auditing Services Robinson, Farmer, Cox Associates in the amount of \$51,000 for the County School combined audit and \$25,700 for affiliated entities and organizations; and authorizes the County Administrator to execute a contract with Robinson, Farmer, Cox Associates.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-12. Resolution Regarding the Extension of the Due Date for Real Estate Taxes, Personal Property Taxes, Stormwater Utility Fees and Public Services Taxes. Mr. Dan Whitten, County Attorney, stated that the Board of Supervisors of Prince George County wishes to assist its residents and business as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic. Pursuant to Prince George County Code § 74-1, “[o]ne-half of the taxes due and owing to the county for real estate for each and every fiscal year, shall be paid by....on or before June 5 or the first business day thereafter, if June 5 is not a business day.” Pursuant to Prince George County Code § 74-2, “[t]he payment of taxes due and owing for each and every year to the county for personal property, mobile homes, and machinery and tools shall be paid by...on or before June 5 or the first business day thereafter, if June 5 is not a business day or within 30 days of receiving a bill if based on proration.” Pursuant to Prince George County Code § 38-82, “[a]n annual stormwater utility charge of \$36.00 shall be collected for every developed residential parcel in the county to be paid at the time that real estate taxes are due on December 5 and June 5 in equal installments of \$18.00. An annual stormwater utility charge shall be collected for every developed commercial/industrial/exempt parcel in the county to be paid in equal installments at the time that real estate taxes are due on December 5 and June 5.” Pursuant to Prince George County Code § 78-99, “[t]he vehicle license year shall commence on January 1 of each year. The annual license fee shall be payable June 5 of every year. The license fee shall be collected as taxes are collected.” Prince George County intends to extend the 2020 due date for second half of Real Estate Taxes, Stormwater Utility Fees and Public Service Taxes and the 2020 due date for Personal Property, Mobile Home, and Machinery and Tools Taxes as well as the annual Vehicle License Tax from June 5, 2020 to June 26, 2020. Mr. Carmichael made a motion, seconded by Mr. Brown, to approve the resolution as presented. Roll was called on the motion.

R-20-045

A-12.

RESOLUTION REGARDING THE EXTENSION OF THE DUE DATE FOR REAL ESTATE TAXES, PERSONAL PROPERTY TAXES, STORMWATER UTILITY FEES AND PUBLIC SERVICES TAXES

WHEREAS, Prince George County Code § 74-1 states “[o]ne-half of the taxes due and owing to the county for real estate for each and every fiscal year shall be paid by or on behalf of persons owing such taxes on or before December 5 or the first business day thereafter, if December 5 is not a business day. One-half of the taxes due and owing, to the county for real estate for each and every fiscal year, shall be paid by or on behalf of persons owing such taxes on or before June 5 or the first business day thereafter, if June 5 is not a business day”; and

WHEREAS, Prince George County Code § 74-2 states “[t]he payment of taxes due and owing for each and every year to the county for personal property, mobile homes, and machinery and tools shall be paid by or on behalf of persons owing such taxes on or before June 5 or the first business day thereafter, if June 5 is not a business day or within 30 days of receiving a bill if based on proration”; and

WHEREAS, Prince George County Code § 38-82 states “[a]n annual stormwater utility charge of \$36.00 shall be collected for every developed residential parcel in the county to be paid at the time that real estate taxes are due on December 5 and June 5 in equal installments of \$18.00. An annual stormwater utility charge shall be collected for every developed commercial/industrial/exempt parcel in the county to be paid in equal installments at the time that real estate taxes are due on December 5 and June 5”; and

WHEREAS, Prince George County Code § 78-99 states “[t]he vehicle license year shall commence on January 1 of each year. The annual license fee shall be payable June 5 of every year. The license fee shall be collected as taxes are collected”; and

WHEREAS, the Board of Supervisors wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic; and

WHEREAS, Prince George County intends to both extend the 2020 due date for the second half of Real Estate, Stormwater Utility Fees and Public Service Taxes and the 2020 due date for Personal Property, Mobile Home, and Machinery and Tools Taxes as well as the annual Vehicle License Tax from June 5, 2020 to June 26, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that both the 2020 due date for the second half of Real Estate, Stormwater Utility Fees and Public Service Taxes and the 2020 due date for Personal Property, Mobile Home, and Machinery and Tools Taxes as well as the annual Vehicle License Tax is hereby extended from June 5, 2020 to June 26, 2020.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-13. Emergency Ordinance to Waive Penalty and Interest Until August 31, 2020 on Real Estate Taxes, Personal Property Taxes and Stormwater Utility Fees. Mr. Whitten stated that on April 9, 2020, the Board of Supervisors of Prince George County confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County. The Board of Supervisors of Prince George County finds that emergency measures are necessary to respond to the current economic conditions due to the existing public health situation and wants to provide residents some relief from the penalty and interest on real estate taxes, personal property taxes and stormwater utility fees normally due June 5, 2020. A resolution was passed on April 14, 2020 extending the due date until June 26, 2020. Virginia Code § 15.2-1427 provides that the Board of Supervisors may adopt emergency ordinances without prior notice. The proposed ordinance amendment will waive penalty and interest until August 31, 2020 on real estate taxes, personal property taxes and stormwater utility fees now due on June 26, 2020. The proposed Ordinance would only be effective through August 31, 2020. The Board of Supervisors will need to re-adopt this emergency ordinance within 60 days pursuant to the public notice required under Virginia Code § 15.2-1427. Staff is directed to advertise a public hearing for May 26, 2020. Mr. Webb made a motion, seconded by Mrs. Waymack, to approve the ordinance as presented. Roll was called on the motion.

O-20-08

A-13.

EMERGENCY ORDINANCE TO WAIVE PENALTY AND INTEREST UNTIL AUGUST 31,
2020 ON REAL ESTATE TAXES, PERSONAL PROPERTY TAXES AND STORMWATER
UTILITY FEES

WHEREAS, on April 9, 2020, the Prince George County Board of Supervisors confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County; and

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

WHEREAS, the Board of Supervisors needs to adopt an emergency ordinance in order to respond to the current economic conditions due to the existing public health situation; and

WHEREAS, the Board of Supervisors wants to provide residents some relief from the penalty and interest on real estate taxes, personal property taxes and stormwater utility fees normally due June 5, 2020; and

WHEREAS, on April 14, 2020, the Board of Supervisors approved a resolution extending the due date for real estate taxes, personal property taxes and stormwater utility fees until June 26, 2020; and

WHEREAS, the proposed ordinance amendment will waive penalty and interest until August 31, 2020 on real estate taxes, personal property taxes and stormwater utility fees now due on June 26, 2020; and

WHEREAS, the proposed ordinance will only be effective through August 31, 2020; and

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

WHEREAS, the Board of Supervisors directs staff to advertise a public hearing for May 26, 2020, to consider readopting this emergency ordinance.

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

1. Taxes - penalty and interest for late payments

Notwithstanding the provisions of Prince George County Code § 74-1, § 74-2, and § 38-82, for all real estate taxes, personal property taxes and stormwater utility fees now due on June 26, 2020, penalty and interest shall be added and collected as follows: penalty and interest of zero percent (0%) for all payments received on or before August 31, 2020, and thereafter a penalty of ten (10) percent and interest at a rate of ten (10) percent per annum for real estate, personal property and stormwater utility fees not paid on or before August 31, 2020.

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

3. Even after re-adoption, this ordinance shall be effective through August 31, 2020 and expire on September 1, 2020, without further action.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-14. Emergency Ordinance to Waive Penalties and Interest for Payments for Water and Wastewater Services. Mr. Whitten stated that on April 9, 2020, the Board of Supervisors of Prince George County confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County. The Board of Supervisors of Prince George County wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic. The Board of Supervisors has determined that providing taxpayers relief from penalties and interest associated with late remittances of utility fees will promote continuity of government and grant needed relief to businesses and individuals

affected by the disaster. Virginia Code § 15.2-1427 provides that the Board of Supervisors may adopt emergency ordinances without prior notice. The proposed ordinance amendment will waive penalty and interest for payments for water and wastewater services due May 15, 2020 if received by July 15, 2020 and for payments due June 15, 2020 if received by August 15, 2020. The proposed Ordinance would only be effective through August 15, 2020. The Board of Supervisors will need to re-adopt this emergency ordinance within 60 days pursuant to the public notice required under Virginia Code § 15.2-1427. Staff is directed to advertise a public hearing for May 26, 2020. Mr. Brown made a motion, seconded by Mrs. Waymack, to approve the ordinance as presented. Roll was called on the motion. Mr. Ashcraft added that the State Corporation Commission is not allowing any cut-offs until June anyway.

O-20-09

A-14.

EMERGENCY ORDINANCE TO WAIVE PENALTIES AND INTEREST FOR PAYMENTS
FOR WATER AND WASTEWATER SERVICES

WHEREAS on April 9, 2020, the Prince George County Board of Supervisors confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County; and

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

WHEREAS the Prince George County Board of Supervisors wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic; and

WHEREAS the Board of Supervisors has determined that providing taxpayers relief from penalties and interest associated with late remittances of utility fees will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster; and

WHEREAS the proposed ordinance will only be effective through August 15, 2020; and

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

WHEREAS the Board of Supervisors directs staff to advertise a public hearing for May 26, 2020, to consider readopting this emergency ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE PRINCE GEORGE COUNTY BOARD OF SUPERVISORS:

1. Reduction of Penalties and Interest for Late Payments for Water and Wastewater Services.
 - (i) Billing Cycle 1 – Notwithstanding the provisions of Prince George County Code § 82-265 and § 82-540, for all payments for water and wastewater services due May 15, 2020, penalty and interest shall be added and collected as follows: penalty and interest of zero percent (0%) for all payments received on or before July 15, 2020, and thereafter a penalty of ten (10) percent and interest at a rate of ten (10) percent per annum for all payments for water and wastewater services that were due May 15 but not paid on or before July 15, 2020.
 - (ii) Bill Cycle 2 – Notwithstanding the provisions of Prince George County Code § 82-265 and §82-540, for all payments for water and wastewater services due June 15, 2020, penalty and interest shall be added and collected as follows: penalty and interest of zero percent (0%) for all payments received on or before August 15, 2020, and thereafter a penalty of ten (10) percent and interest at a rate of ten (10) percent per annum for all payments for water and wastewater services due June 15 but not paid on or before August 15, 2020.
2. This ordinance shall be effective upon adoption and remain effective for not more than 60 days unless readopted pursuant to the public notice provisions of Virginia Code § 15.2-1427.
3. Even after re-adoption, this ordinance shall be effective through August 15, 2020 and expire on August 16, 2020, without further action.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-15. Emergency Ordinance to Waive Penalties and Interest Until August 20, 2020 on Meals Taxes and Transient Occupancy Taxes. Mr. Whitten stated that on April 9, 2020, the Board of Supervisors of Prince George County confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County. The Board of Supervisors of Prince George County wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic. The Board of Supervisors has determined that providing taxpayers relief from penalties and interest associated with late remittances of transient occupancy taxes and meals taxes will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster. Virginia Code § 15.2-1427 provides that the Board of Supervisors may adopt emergency ordinances without prior notice. The proposed ordinance amendment will waive penalty and interest so long as the remittances are made to the Treasurer on or before August 20, 2020 for Transient Occupancy Taxes and Meals Taxes. The proposed Ordinance would only be effective

through August 20, 2020. The Board of Supervisors will need to re-adopt this emergency ordinance within 60 days pursuant to the public notice required under Virginia Code § 15.2-1427. Staff is directed to advertise a public hearing for May 26, 2020. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the ordinance as presented. Roll was called on the motion.

O-20-10

A-15.

EMERGENCY ORDINANCE TO WAIVE PENALTIES AND INTEREST UNTIL AUGUST 20, 2020 ON MEALS TAXES AND TRANSIENT OCCUPANCY TAXES

WHEREAS on April 9, 2020, the Prince George County Board of Supervisors confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County; and

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

WHEREAS the Prince George County Board of Supervisors wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic; and

WHEREAS the Board of Supervisors has determined that providing taxpayers relief from penalties and interest associated with late remittances of transient occupancy taxes and meals taxes will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster; and

WHEREAS the proposed ordinance will only be effective through August 20, 2020; and

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

WHEREAS the Board of Supervisors directs staff to advertise a public hearing for May 26, 2020, to consider readopting this emergency ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE PRINCE GEORGE COUNTY BOARD OF SUPERVISORS:

1. Reduction of Penalties and Interest for Late Remittances of Transient Occupancy Taxes.

Notwithstanding Prince George County Code § 74-304 and § 74-306, any person who fails or refuses to remit to the Treasurer transient occupancy taxes first required to be remitted on or between April 20, 2020, and August 20, 2020, will be assessed penalties and interest of zero

percent for failing or refusing to remit the taxes, so long as the remittances are made to the Treasurer on or before August 20, 2020. All other requirements regarding transient occupancy taxes shall remain in force, including but not limited to the requirements for recordkeeping and for timely filing of reports of such taxes collected. On August 21, 2020, any person who has failed or refused to remit such taxes to the Treasurer will be assessed penalties and interest in the amount of 10 percent of the tax past due. Any such penalties and interest, when assessed, will become part of the tax.

2. Reduction of Penalties and Interest for Late Remittances of Meals Taxes.

Notwithstanding Prince George County Code § 74-475 and § 74-479, any person who fails or refuses to remit to the Treasurer meals taxes first required to be remitted on or between April 20, 2020, and August 20, 2020, will be assessed penalties and interest of zero percent for failing or refusing to remit the taxes, so long as the remittances are made to the Treasurer on or before August 20, 2020. All other requirements regarding meals taxes shall remain in force, including but not limited to the requirements for recordkeeping and for timely filing of reports of such taxes collected. On August 21, 2020, any person who has failed or refused to remit such taxes to the Treasurer will be assessed penalties and interest on the tax past due. Any such penalties and interest, when assessed, will become part of the tax.

3. Effective Date. This ordinance shall be effective upon adoption and remain effective for not more than 60 days unless readopted pursuant to the public notice provisions of Virginia Code § 15.2-1427. Even after re-adoption, this ordinance shall be effective through August 20, 2020 and expire on August 21, 2020, without further action.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-16. Discussion of School Revenue Sharing Calculation – Public Safety “Carve Outs.”

Ms. Drewry stated that Prince George County currently calculates the local operating transfer to the school system using a revenue sharing calculation, transferring a portion of 5 local fund revenue streams; Real Estate Tax Revenue, Personal Property Tax Revenue + PPTRA, Local Sales Tax, Consumer Utility Taxes, and Motor Vehicle License Fees. The Prince George County Board of Supervisors approved an amended School Revenue Sharing Memorandum of Understanding (MOU) on August 13, 2019. This version has not been adopted by both boards (Board of Supervisors and School Board). The modified calculation approved by Board of Supervisors on August 13, 2019 contained some “carve out” provisions (revenue increase amounts that can be excluded from the operating transfer to schools). Staff was directed to use the modified August 13 calculation formula to prepare the Proposed FY2021 budget at the pre-budget work session on December 16, 2019. Carve outs as approved on August 13, 2019 are: additional resources devoted to School Capital Expenditures [\$1,088,986]; Fire Apparatus Replacements – 2¢ Real Estate Tax devoted to Fire Apparatus per County Ordinance §74-4 [\$560,000]; and additional resources devoted to Public Safety Operations and Capital Projects. No specific direction was given regarding the Public Safety carve outs. At the Board’s April 9

budget work session, staff requested permission to gain board consensus on the items to include as Public Safety Carve Outs on April 14. Mr. Webb stated that this needs to be taken to a work session. The Board agreed. Mr. Webb requested that it be the first item on the next budget work session.

A-17. Discussion of Additional Budget Work Sessions. Ms. Drewry presented the Board with some dates for two additional budget work sessions. The Board agreed to meet on April 22 and April 29 at 5:00 p.m. in the Boardroom.

ADJOURNMENT. Mr. Carmichael moved, seconded by Mr. Brown, to adjourn to April 22, 2020 at 5:00 p.m. in the Boardroom for a budget work session. 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 8:47 p.m.

[Draft Minutes prepared March 18, 2020 for consideration on April 14, 2020; adopted by unanimous vote.]

Donald R. Hunter
Chairman, Board of Supervisors

Percy C. Ashcraft
County Administrator