

MINUTES
Board of Supervisors
County of Prince George, Virginia

January 25, 2022

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

MEETING CONVENED. A regular meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 5:03 p.m. on January 25, 2022 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Chair Marlene J. Waymack.

ATTENDANCE. The following members responded to Roll Call:

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

Also present was: Jeff Stoke, Interim County Administrator; Julie C. Walton, Deputy County Administrator; and Dan Whitten, County Attorney.

CLOSED SESSION

E-1. Resolution; Closed Session for (i) Section 2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of a specific public officers, appointees or employee of the public body; I further move that such discussion shall be limited to the Expense Report Review Committee; and (ii) Section 2.2-3711.A.3 – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Such discussion shall be limited to property located on S. Crater Road; and (iii) Section 2.2-3711.A.5 – Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. Such discussion shall be limited to a business in the Southpoint Industrial Park. Mr. Brown made a motion, seconded by Mr. Hunter, that the Board convene closed session for (i) Section 2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of a specific public officers, appointees or employee of the public body; I further move that such discussion shall be limited to the Expense Report Review Committee; and (ii) Section 2.2-3711.A.3 – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public

body. Such discussion shall be limited to property located on S. Crater Road; and (iii) Section 2.2-3711.A.5 – Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. Such discussion shall be limited to a business in the Southpoint Industrial Park.

R-22-017

E-1.

RESOLUTION; CLOSED SESSION FOR (I) SECTION 2.2-3711.A.1 – DISCUSSION OR CONSIDERATION OF THE ASSIGNMENT, APPOINTMENT, PROMOTION, PERFORMANCE, DEMOTION, SALARIES, DISCIPLINING OR RESIGNATION OF A SPECIFIC PUBLIC OFFICERS, APPOINTEES OR EMPLOYEE OF THE PUBLIC BODY; I FURTHER MOVE THAT SUCH DISCUSSION SHALL BE LIMITED TO THE EXPENSE REPORT REVIEW COMMITTEE; AND (II) SECTION 2.2-3711.A.3 – DISCUSSION OR CONSIDERATION OF THE ACQUISITION OF REAL PROPERTY FOR A PUBLIC PURPOSE, OR OF THE DISPOSITION OF PUBLICLY HELD REAL PROPERTY WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE PUBLIC BODY. SUCH DISCUSSION SHALL BE LIMITED TO PROPERTY LOCATED ON S. CRATER ROAD; AND (III) SECTION 2.2-3711.A.5 – DISCUSSION CONCERNING A PROSPECTIVE BUSINESS OR INDUSTRY OR THE EXPANSION OF AN EXISTING BUSINESS OR INDUSTRY WHERE NO PREVIOUS ANNOUNCEMENT HAS BEEN MADE OF THE BUSINESS' OR INDUSTRY'S INTEREST IN LOCATING OR EXPANDING ITS FACILITIES IN THE COMMUNITY. SUCH DISCUSSION SHALL BE LIMITED TO A BUSINESS IN THE SOUTHPOINT INDUSTRIAL PARK

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of January, 2022, does hereby vote to enter closed session for (i) Section 2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of a specific public officers, appointees or employee of the public body; I further move that such discussion shall be limited to the Expense Report Review Committee; and (ii) Section 2.2-3711.A.3 – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Such discussion shall be limited to property located on S. Crater Road; and (iii) Section 2.2-3711.A.5 – Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. Such discussion shall be limited to a business in the Southpoint Industrial Park.

On roll call the vote was:

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

Opposed: (0)

Absent (0)

E-2. Resolution; Certification of Closed Session. At 5:32 p.m., Mr. Brown made a motion, seconded by Mr. Webb, that the Board adjourn the closed session and enter open session, certifying that to the best of each Board Members' knowledge (1) only public business lawfully exempted from open meeting requirements were discussed and (2) only matters identified in the convening motion were discussed. Chair Waymack asked if any Board member knew of any matter discussed during the closed session that was not announced in its convening legislation. Hearing no comment from the Board, the Chair asked that the roll be called on the motion.

R-22-017A

E-2.

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

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of January, 2022 does hereby certify that, to the best of each Board Member's knowledge, (1) only public business lawfully exempted from open meeting requirements were discussed, and (2) only matters identified in the convening motion were discussed.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Chair Waymack called a recess at 5:33 p.m. The work session convened at 6:00 p.m.

WORK SESSION

Fire/EMS Chief Paul Beamon went over some proposed revisions to the Fire and EMS Ordinance. Some of the language was cleaned up to include Fire and EMS System and Fire and EMS Department. The following language was added to Section 42-1.3: b. The fire and EMS chief shall be authorized to oversee the emergency response operations of any agency as they relate to the provision of Fire and EMS services in Prince George County in accordance with the policies established by the fire and EMS Chief or the board of supervisors to include: 1. System fleet size, deployment, development, and functions; 2. Minimum standards regarding apparatus and equipment; 3. System funding by the county, including volunteer companies and monitoring and controlling system volunteer and county budgets and expenditures; 4. Mutual aid and cooperative agreements; 5. Minimum standards and requirements for the Fire and EMS System's personnel, training, licensure, reporting requirements, rank structure, and the delivery of high-quality fire and emergency services; 6. The fire and EMS Chief shall represent the Fire and EMS

Department and the Fire and EMS System and emergency management system of Prince George County to other groups, jurisdictions or levels of government; 7. System performance standards, such as minimum staffing and response goals; 8. A process for setting and maintaining first due areas, response districts and apparatus response orders. c. The fire and EMS chief shall hire and terminate officers and staff using the guidelines and procedures of Prince George County Human Resource Department, and review and accept volunteers for the Fire and EMS Department. The fire and EMS chief may appoint such principal deputies or assistants as the county administrator may approve. Deputies and assistants may perform any of the duties of the fire and EMS chief, when authorized in writing by the fire and EMS chief. The fire and EMS chief shall provide for appropriate background investigation of staff and volunteer applicants and incumbents, including review of criminal and driving records, before recommending to the County Administrator that the applicant should be offered the position. d. The fire and EMS chief shall lead the planning for, training and preparation for, and response to any disaster that occurs in the county and that requires implementation of the county's emergency response plan. The Board of Supervisors and the county administrator hereby designate the fire and EMS chief, and the fire and EMS chief shall so serve, as the coordinator of emergency services for all purposes related to response to disasters pursuant to Title 44 of the Virginia Code. Some sections were moved to another section in the Ordinance for a better flow. The Prince George Fire and EMS Board is now specifically referred to as the Advisory Board. The Advisory Board consists of Volunteer Fire Chiefs. The following language was added: (6) The fire and EMS chief shall establish, publish, and enforce Fire and EMS Department regulations for the administration and operation of the Fire and EMS Department. The fire and EMS chief may establish additional, and more stringent, requirements for the internal operation of the Fire and EMS Department. No Fire and EMS Department regulations or directives can waive the requirements of the County, Federal, State, or other local laws or regulations, including those related to licensing. (7) The fire and EMS chief may exercise all powers authorized by state law as necessary for the provision of coordinated fire and emergency medical services and exercise command authority of any emergency operation when deemed necessary for the safety and welfare of the public or responders. In such situations, the fire and EMS chief may relieve any person of his or her operational authority and may direct the operations of any fire, EMS, or emergency service provider in accordance with Code of Virginia § 27-23.9 (1950), as amended. (8) The fire and EMS chief may delegate his or her operational authority to other officials and staff of the Fire and EMS Department. (9) The fire and EMS chief, on behalf of the board of supervisors, shall have authority to enter into and take all actions necessary to implement and carry out the terms of agreements for mutual aid, disaster preparedness, and provision of services related to hazardous materials, rescue, fire suppression, investigation, medical services or other emergency response services deemed necessary in the judgment of the fire and EMS chief for emergency response in events exceeding the capabilities of an individual locality or government agency. The fire and EMS chief shall have the authority to enter into contracts on behalf of the county and to expend funds after an official disaster or emergency declaration to provide for the public safety during such events, in accordance with applicable laws and regulations and in accordance with the county purchasing policy. The fire and EMS chief shall have the authority to take all actions necessary to obtain funding and assistance from other localities and from state or federal agencies for those purposes. Mr. Brown noted that this particular section needs to be more clear that it requires the approval of the Board of Supervisors. And, (10) Provide any additional, related, system-wide services that are essential for the provision of high-quality fire and emergency medical services. In addition, the

definitions of volunteer and active member have been added. The following language was also added: (b) Volunteer fire companies and volunteer chiefs shall operate in conformity with state laws, county ordinances, and the duly adopted policies and directives of the County, fire and EMS chief, and the Fire and EMS System. Every member of the volunteer fire company shall, upon any alarm of fire or call of a medical emergency, attend and endeavor to extinguish such fire or assist in the medical emergency as per Virginia Code § 27-11. There are parts as well that more specifically address volunteers. The following language is new: (12) The chief of each volunteer fire company shall submit to the fire and EMS chief a list of the active members thereof on September 1 of each year. Information contained in this report shall consist of and all documentation illustrating number of duty hours per month for each member and number of calls answered per member. On the first of each month, the chief of each volunteer fire company shall submit to the fire and EMS chief any additions or deletions to the active membership of that volunteer fire company; and (13) Additional responsibilities beyond those named above may be necessary to ensure the effectiveness of the Fire and EMS System. Any additional responsibilities shall be communicated in writing from the fire and EMS chief. (g) Volunteer fire companies shall file a copy of their, by-laws, any resolutions, minutes of the board of directors or associations annual report with the fire and EMS Chief. The following was added under Advisory Board: (1) Consult with the fire and EMS chief to ensure that effective and efficient operational processes shall not supersede the fire and EMS chief's authority to govern the Fire and EMS System or amend the authority conceded to the fire and EMS chief under Code of Virginia § 27-23.9 (1950), as amended. Conflicting operational processes shall be interpreted at the sole discretion of the fire and EMS Chief. (2) The PGFEMS Advisory Board shall be provided the opportunity to consult with and advise the fire & EMS chief before the issuance of any departmental policies or regulations. Following consultation, the fire and EMS chief in his or her sole discretion may issue those departmental policies or regulations that he or she deems necessary. And, the following changes were made: (3) The fire and EMS chief shall consider any comments and recommendations on proposed policies from the PGFEMS Advisory Board and shall may incorporate such recommendations for revision which, in his or her judgment, meet the system policy standards. ~~Should the chief decline to accept any material recommendation for revision from the PGFEMS Board, he shall provide a written explanation of his decision to the PGFEMS Board after attempting to reach a consensus.~~ (4) After considering any draft policy, the PGFEMS Board shall may take one of the following actions by majority vote: (5) By majority vote, the PGFEMS Board may appeal the approval of a policy by the fire and EMS chief ~~any decision to decline to accept a policy~~ within seven days to the county administrator in writing giving its reasons for appeal. The county administrator shall consider such appeal and deny the appeal or remand to the fire and EMS chief PGFEMS Board for further review within ten days. The following language was added: (6) If the policy is remanded to the fire and EMS chief to review the concerns of the PGFEMS Advisory Board, the fire and EMS chief shall consult with the county administrator on any changes to the policy and the county administrator shall work with the fire and EMS chief to make the final determination as to implementation of the policy. Mr. Carmichael stated that he does not understand how much the Board of Supervisors would want to be involved, but with the history of the volunteers in Prince George and how much they have done for the community, the Board of Supervisors should at least be notified of any discrepancies between the Advisory Board and Administration. Mr. Brown stated that being aware is one thing, but the Board does not have the authority to make departmental changes. Also, the following was added/changed: (1) All fire and EMS

employees, and volunteers shall comply with Fire and EMS Department regulations and directives as a condition of employment with or volunteer service in the Fire and EMS Department. (2) Upon an allegation of a breach of Fire and EMS Department regulations or directives, the fire and EMS chief shall have the authority to suspend the accused person or department entity from duty, pending an investigation. If the investigation substantiates the allegation, the fire and EMS chief may suspend from duty, terminate the employment, volunteer service of any individual, or revoke the authority of a volunteer entity to operate as an emergency medical service provider or as a fire service provider in the county to protect the public safety. (3) Fire and EMS volunteers and employees shall comply with all requirements of the Virginia Public Procurement Act and county purchasing policy. Should a member of the Fire and EMS Department breach a regulation or directive and thereby expend public funds or waste a county asset without authority, that person shall be civilly liable for those funds or that waste. (4)-(b) ~~The PGFEMS Board shall prepare a written reporting summarizing~~ The fire and EMS chief may perform the investigation and its conclusions or delegate the investigation to the PGFEMS Advisory Board or other party that the fire and EMS chief has appointed to conduct the investigation. If the investigation is not performed by the fire and EMS chief, a written report summarizing the investigation shall be submitted ~~and submit the report~~ to the fire and EMS chief no later than ten calendar days following the conclusion of the investigation. ~~If the PGFEMS Board determines, by majority vote,~~ If a determination is made by the fire and EMS chief, after review of the investigation that the charged party has materially non-complied with system policy, ~~with the concurrence of the fire and EMS chief,~~ the charged party shall comply with all recommended steps for remediation of the noncompliance. (c) Should the charged party substantially fail to implement the plan, the fire and EMS chief may modify the plan, discontinue the plan, implement an alternative plan, and/or take other action as needed. Prior to taking these steps, however, the fire and EMS chief must consult with the county administrator board about his/her intended action and consider his/her its recommendations except when immediate action is required, in which case he shall consult with the ~~board~~ county administrator as soon as practicable after such action. (d) If the fire and EMS chief determines that the nature of the noncompliance is so serious as to merit consideration of de-certification of the organization, ~~or reduction in its funding by the board of supervisors~~ or repossession of equipment, ~~they~~ he/she shall apprise the county administrator who shall refer the matter to the board of supervisors, which shall be the sole authority to take any punitive action, pursuant to Code of Virginia, § 27-10. and to determine annual appropriations. (a) Every firefighter, either salaried or volunteer, entering upon the service of the county, at the time of such entry, and as requested by the fire and EMS chief. The fire and EMS chief shall review the criminal history records, if any exist, of applicants for employment and for volunteer service in the Fire and EMS Department. The fire and EMS chief shall periodically review the criminal history records, if any exist, of incumbents. These reviews will determine if the past conduct of any person would bar employment or service with the Fire and EMS Department. When in the sole judgment of the fire and EMS chief, a criminal history report contains such information that the opportunity for employment or volunteer service should be denied, that person will not be hired or accepted into the volunteer service. If that person is currently employed or serving as a volunteer, the fire and EMS chief shall immediately suspend that person from operational duty, and that person may be dismissed from the Fire and EMS Department, subject to notice of the material in the criminal history records and the opportunity for a hearing before the fire and EMS chief. (3) In the interest of the public welfare and safety, the fire and EMS chief shall review the department of motor vehicle

records of applicants for employment and for volunteer service in the Fire and EMS Department. The fire and EMS chief shall periodically review the department of motor vehicle records of incumbents. These reviews will determine if the past conduct of any person would bar employment or service with the Fire and EMS Department. When in the sole judgment of the fire and EMS chief a driving history report contains such information that the opportunity for employment or service should be denied, that person will not be hired or accepted into the volunteer service. If that person is currently employed or serving as a volunteer, the fire and EMS chief shall immediately suspend that person from driving duty, and that person may be dismissed from the Fire and EMS department, subject to notice of the material in the criminal history records and the opportunity for a hearing before the fire and EMS chief and the Advisory Board. Mr. Brown asked if the volunteers need to have a signed document on file stating that they are aware of this and what would warrant a random background check. Mr. Dan Whitten, County Attorney, stated that there is a form to be filled out with finger printing upon hire. Mr. Whitten stated that it could be changed to an annual background check. Mr. Brown stated that it should be documented so that they are aware.

Mr. Dan Whitten, County Attorney, stated that the Board has asked that he look into the rentals of County rooms throughout the County, so he created a spreadsheet which shows all of the room rentals that are currently in the County. It shows who manages that room, whether there's a fee for that room and if there's any restrictions on using that room and the process for reserving the room. Mr. Whitten went through each of those different facilities. County Administrative staff, Parks and Rec Staff, and Fire and EMS staff all approve room rentals. Annual leases require Board of Supervisors approval because a public hearing is required for the annual lease. The rentals through County Administration include the Community Room in the Human Services Building, the Boardroom, and the Kines Breakroom on the second floor. Rentals are free. You just call administration to reserve the room. The Boardroom and Kines Breakroom are only rented during office hours unless it's a governmental organization or committee that needs to rent the room. Rentals through Parks and Rec include the Disputanta Community Building for County residents at \$25/hour and \$100 security deposit, Old North Elementary, which is free for County residents, and Scott Park/Temple Park Pavilion, which is free for County residents, \$80 for non-residents, and available dawn to 3:00 pm or 3:00 pm to dusk. Rentals through Fire and EMS include the Central Wellness Training Rooms that are available for rent, rent free, for Fire & EMS and Police Department, Local Emergency Planning Committee, and CPR and First Aid classes. Rentals requiring Board approval include Burrowsville School, which currently has a five-year lease to Friends of Burrowsville School for a fee of \$1. It also includes the Central Wellness Center where the following organizations rent a room for no fee on an annual basis: American Legion, Prince George Rotary, Wrestling, Food Bank, Womens Club of Prince George, Fraternal Order of Police, Eastern Star and Masonic Lodge, and CERT. These organizations had to contact County Administration and have a lease drawn up by the County Attorney. Some items that are up for discussion are should the County charge a fee to non-governmental organizations and should there be a discounted fee for non-profit charitable, educational, civic, fraternal, or social organizations offering programs to the residents of Prince George County. Should it be an hourly/daily rate or an annual rate. Mr. Webb stated that he had previously brought this up to the County Attorney and sent to him how the schools rent their rooms. He stated that there are some organizations that give back to the community. But we need to be careful moving forward. As the County grows, it spends a ton of

money keeping the upgrades on the Central Wellness Center. Not every citizen has the opportunity to take advantage of that building, but you still have hidden costs. Rental fees could absorb some of those costs. He stated that he is asked by citizens all of the time why are we just giving everything away. Mr. Whitten stated that he could find out the utility costs and divide it by each room. Mr. Carmichael stated that he would like more time for the County Attorney to compile all of that information. It will be addressed again at a future work session.

Invocation. Mr. Hunter 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. Chair Waymack announced that anyone wishing to come before the Board may do so at this time. She noted that this was the time for unscheduled general public comments. Chair Waymack opened the public comments at 7:02 p.m.

Mr. Jerry Schultz (7112 Bull Hill Road). Mr. Schultz gave the Board some pictures of neighbors burning leaves and brush on half-acre lots in an R-2 Zoning District. He gets ashes and embers on his pickup truck and his car. He does not believe burning should be happening in an R-2 neighborhood on such small lots.

Ms. Judy Chalkley (13701 Goose Haven Lane). Ms. Chalkley asked Mr. Carmichael to verify his legal residence. Mr. Carmichael stated that he resides at 11216 Willow, Disputanta, Virginia.

Mr. Bill Robertson (2851 Fountain Ridge Road, North Prince George). Mr. Robertson thanked the Board for authorizing the use of ARPA funds for the rebate on the 2021 personal property taxes. He also thanked the Commissioner of Revenue and the Treasurer for their efforts on putting this forward as well. He asked that the Board consider reducing the real estate taxes as well this year.

There was no one else to speak and the public hearing was closed at 7:07 pm.

APPROVAL OF AGENDA. After requesting that a report on Municipal Utility ARPA Funding and Item A-8 be added as a resolution authorizing the Fire/EMS Department to complete and submit a grant application to FEMA for Safer Recruitment and Retention, Mr. Brown made a motion, seconded by Mr. Carmichael, 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.

C-1. Draft Minutes – January 4, 2022 Organizational Meeting; and January 11, 2022 Regular Meeting.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

PRESENTATIONS

S-1. Resolution; Commendation; Sheriff Harold E. Allin, III “Bucky”; Service to Prince George County. The Board presented a commendation to Sheriff Bucky Allin in the presence of his family and the Sheriff’s Office. Commonwealth’s Attorney Susan Fierro and Director of Community Corrections Denise Waff presented Sheriff Allin with a plaque on behalf of the Riverside Regional Jail Community Corrections Justice Board.

SUPERVISORS’ COMMENTS

Mr. Hunter stated that it was an honor to give that commendation to Sheriff Allin. There will be two more vaccine clinics at Unity Baptist Church for the next two Mondays from 1-3pm.

Chair Waymack stated that she is thankful that the County was spared the worst of the snowy weather.

COUNTY ADMINISTRATOR’S COMMENTS

Mr. Jeff Stoke, Interim County Administrator, stated that there will be a COVID-10 vaccination clinic at Unity Baptist Church on January 31 from 1 pm to 3 pm. Prince George County will be hosting the next Civilian Military Council Meeting, which will be held virtually on February 10. Mr. Stoke asked the Board to please save the dates of March 4 and March 5 for the County Strategic Plan Retreat.

REPORTS

Quarterly Financial Report – Ms. Betsy Drewry, Finance Director, presented the Board with the Quarterly Financial Report for the second quarter ending December 31, 2021. General Fund Revenues are at 43.30% collected. Real Estate Tax Revenues are 52.89% collected, which is a good indicator that the County will meet target. Sales Tax Revenues provide an early indicator that we will exceed our budget target of \$3.8 million. General Fund Expenditures are at 49.28% and on target. Ms. Drewry talked about the Utilities Fund, which is a little smaller compared to this time last year. She went over some Capital Projects, including the public safety radio project, Volunteer Fire Department and Crew Building upgrades, and Circuit Courtroom renovations. In addition, Ms. Drewry gave an update on School Projects, the Tourism Fund, the Economic Development Fund, and Community Corrections Fund, all of which are healthy. Ms. Drewry talked about Cash Proffers. The County collected \$20,000 from Brickhouse Landing, which are the first proffers revenues since FY2017. She also noted that the RedFlex Program has collected a total of \$1,982.61 as of December 31, 2021. The Health Insurance Fund balance was \$1.78 million at December 31, 2021. FY2022 to date, in total, claims exceed premiums by \$1,045,027. Looking ahead, the monthly “budget to actual” monitoring will continue. Purchase order cut-off of May 15 has been set. They are working with auditors to set preliminary FY2021

audit test work. The FY2022 budget finalization is underway. They will monitor closely CSA Expenditures in cooperation with School personnel and they are awaiting guidance on American Rescue Plan Act Funding.

PUBLIC HEARINGS

P-1. Ordinance Amendment OA-21-01: Ordinance to amend The Code of the County of Prince George, Virginia, by amending §§ 90-1, 90-3, 90-201, 90-241, 90-291 and Chapter 90, Article XIII to define the term “Townhouse”, to establish a zoning district known as “R-TH Residential Townhouse” where townhouses are permitted, to distinguish the intent of the new district from that of the existing residential zoning districts (R-1, R-2, R-3), and to define the intent and requirements for the new R-TH zoning district. The purpose of the proposed amendment is to permit attached townhouses with each unit on its own lot, subject to appropriate development standards and reviews by the Planning Commission and the Board of Supervisors. Mr. Tim Graves, Planner, stated that the applicant is working with D.R. Horton on a potential townhouse development. The primary goal is to develop *Townhouses on individually-owned lots. Currently, Townhouses on individually-owned lots are* not permitted by Ordinance. Options to proceed include to revise plans to replace with multi-family structures (single ownership of entire building on one lot), a Planned Unit Development Rezoning (requires 25+ acres), or a request for an ordinance amendment. The applicant requested an Ordinance Amendment and provided a draft ordinance which added townhouses as a Special Exception in the R-2 zoning district. Staff modified the draft submitted by applicant and scheduled a public hearing. Staff did not support lowering setbacks within existing zoning districts (from 35'). Staff and the applicant discussed potential for a new zoning district for townhouses with shorter setbacks. The Planning Commission held a public hearing on October 28, 2021 (Item withdrawn from the agenda to allow Staff time to update draft). Staff updated the draft ordinance and reviewed with the applicant. Mr. Graves showed the Board an example Conceptual Plan for Townhouse development (applicant's project). Some similar uses permitted by the current ordinance are two-family dwellings (doesn't match applicant goals), multiple-family dwellings (doesn't match applicant goals), attached dwellings (doesn't match applicant goals), and Planned Unit Development (requires 25+ acres). Staff reviewed townhouse requirements in other localities, included Chesterfield, Henrico, New Kent, and Hanover. Prince George County's 2007 Zoning Ordinance permitted townhouses on individual lots (before the entire ordinance was repealed for unrelated reasons). Cash proffers are requested for rezonings in an effort to offset impacts on County resources. Townhouse developments will require Subdivision Plat review and Site Plan review. The request is compatible with the Comprehensive Plan. Townhouses specified as a type of housing which should be included in the ordinance and it fits future land use map categories. Some development standards to include are lower setback requirements than other zoning districts (compact neighborhood feel), public water and sewer service, lots shall front on public rights-of-way, minimum development size of 10 acres and 24 units, requirements for common areas and recreation space or facilities, a homeowners association shall own and operate all of the common elements, and additional development standards may be established during individual zoning cases. The Planning Commission recommends approval of the ordinance amendment as proposed. Mr. Webb asked if utilities are available for this particular development. Mr. Graves confirmed that it is available for this development. Mr. Carmichael asked if they could come back and build something other than townhouses like was done with Puddledock Place. Mr. Graves stated that this would just

change the ordinance to allow townhouses. The applicant would have to come back before the Board to request the rezoning for their particular development. Chair Waymack opened the public hearing at 7:51 p.m. There was no one to speak and the public hearing was closed. Mr. Brown made a motion, seconded by Mr. Webb, to approve the ordinance amendment as presented. Roll was called on the motion.

O-22-01

P-1.

Ordinance Amendment OA-21-01: Ordinance to amend The Code of the County of Prince George, Virginia, by amending §§ 90-1, 90-3, 90-201, 90-241, 90-291 and Chapter 90, Article XIII to define the term "Townhouse", to establish a zoning district known as "R-TH Residential Townhouse" where townhouses are permitted, to distinguish the intent of the new district from that of the existing residential zoning districts (R-1, R-2, R-3), and to define the intent and requirements for the new R-TH zoning district. The purpose of the proposed amendment is to permit attached townhouses with each unit on its own lot, subject to appropriate development standards and reviews by the Planning Commission and the Board of Supervisors.

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

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- (1) That §90-1 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:
Sec. 90-1. - Definitions.

Townhouse means an attached single-family dwelling unit located on an individual lot with an individual entry, constructed in a group of attached units. Individual units shall be separated from other units by party walls extending from basement to roof, without doors, windows or other provisions for human passage or visibility.

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- (2) That §90-3 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:

Sec. 90-3. - County divided into districts.

For the purpose of this chapter, the unincorporated areas of the county are hereby divided into the following districts:

A-1	General agricultural
R-A	Residential agricultural
R-E	Residential estate
R-1	Limited residential
R-2	Limited residential
R-3	General residential
MHR	Mobile home residential
B-1	General business
M-1	Limited industrial
M-2	General industrial
M-3	Heavy industrial
RPA	Resource protection area
RMA	Resource management area
R-TH	Residential townhouse

(3) That §90-201 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:

Sec. 90-201. - General description; intent.

The R-1 limited residential district is composed of certain quiet, low-density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children and to prohibit all activities of a commercial nature. To these ends, development is limited to relatively low concentration, and permitted uses are limited ~~basically~~ **primarily** to single-unit family dwellings providing homes for the residents plus certain additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district.

(4) That §90-241 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:

Sec. 90-241. General description; intent.

The R-2 limited residential district is composed of certain quiet, low-density **and medium-density** residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children and to **generally** prohibit ~~all~~ activities of a commercial nature. To these ends, development is limited to relatively low concentration, and permitted uses are limited ~~basically~~ **primarily** to single-unit-family dwellings providing homes for the residents plus certain additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. Multiple-unit-family dwellings are permitted in accordance with a ~~conditional use permit~~ **special exception**.

(5) *That §90-291 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:*

Sec. 90-291. General description; intent.

The R-3 general residential district is composed of certain quiet, low-density, **medium-density, and high density** residential uses plus certain open areas where similar development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children and to **generally** prohibit ~~all~~ activities of a commercial nature. To these ends, development is limited to relatively low concentration, and permitted uses are limited to ~~basically~~ **primarily** single-family dwellings plus ~~attendant accessory~~ **certain multiple-family dwelling uses**. This district is not completely residential as it includes public and semipublic, institutional and other related uses.

(6) *That Chapter 90, Article XIII of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:*

ARTICLE XIII. - ~~RESERVED~~ R-TH RESIDENTIAL TOWNHOUSE DISTRICT

~~Secs. 90-591—90-640. Reserved.~~

Sec. 90-591. General description; intent.

The R-TH residential townhouse district is composed of primarily townhouses uses, with a generally lower density in comparison to multiple-family dwelling developments on the same acreage. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children and to generally prohibit activities of a commercial nature. To these ends, development is limited to primarily townhouses and accessory uses, with appropriate design standards and common areas set aside for recreational or other public use. This district is not completely residential as it includes public and semipublic, institutional and other related uses. Townhouse districts may be appropriately located near or intermingled with other compatible types of housing.

Sec. 90-592. Permitted uses.

In the R-TH district, structures to be erected or land to be used shall be for one or more of the following uses:

- (1) Townhouses.**
- (2) Schools.**
- (3) Churches.**
- (4) Rest homes.**
- (5) Parks, playgrounds and other community or public (non-commercial) recreational uses and structures.**
- (6) Home occupations:**
 - a. Office.**
 - b. Home occupation child care.**
- (7) Offstreet parking as required by this chapter.**
- (8) Public utilities such as poles, lines, distribution, transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewer facilities, in accordance with a conditional use permit and with other provisions contained in this chapter.**

Sec. 90-593. Uses and structures permitted by special exception.

The following uses and structures are permitted by special exception in the R-TH district:

- (1) General hospitals.**
- (2) Family day care home (large).**
- (3) Home professional and trade offices.**
- (4) Home occupation in an accessory building.**

Sec. 90-594. Minimum lot areas in the R-TH district.

- (a) For lots containing or intended to contain a townhouse use, the minimum lot area shall be 1,500 square feet for an internal lot and 2,250 square feet for an end lot in a row of townhouse units.**
- (b) For all other lots other than common areas, the minimum lot area shall be 10,000 square feet.**

Sec. 90-595. Setbacks and Yards in the R-TH district.

- (a) Minimum front yard setbacks for all structures:**
 - (1) On arterial roads: 35 feet from the edge of any street right-of-way which is 50 feet or greater in width or 60 feet from the centerline of any street right-of-way less than 50 feet in width. This shall be known as the setback line.**
 - (2) On collector roads: 25 feet from the edge of any street right-of-way which is 50 feet or greater in width or 50 feet from the centerline of any street right-of-way less than 50 feet in width. This shall be known as the setback line.**
 - (3) On local roads: 15 feet from the edge of any street right-of-way which is 50 feet or greater in width or 40 feet from the centerline of any street right-of-way less than 50 feet in width. This shall be known as the setback line.**
- (b) Minimum corner side yard setbacks for all structures:**
 - (1) On arterial and collector roads: 25 feet.**
 - (2) On local roads: 15 feet.**
- (c) Minimum side yard setbacks for main structures except interior townhouse units: 10 feet, with 25 feet for the total width of the two required side yards.**
- (d) Rear yards:**
 - (1) Minimum rear yard setback of 25 feet for main structures.**
 - (2) Alleys within common areas maintained by the home owners' association may be provided in place of the minimum rear yard setback. The standards of Section 70-766 shall apply.**

- (e) No common parking area shall be permitted within the minimum required front yard setback area.
- (f) The minimum separation between any building containing a group of five (5) or more townhouse units and any other townhouse building shall be 30 feet.
- (g) Only one yard, either the front yard or the rear yard, or in the case of an end unit, the side yard, may be improved with a driveway or other impermeable surface intended for parking or for access to a garage or other parking areas.
- (h) Signs advertising the sale or rental of property may be erected up to the property line.

Sec. 90-596. Frontage and Lot Width

- (a) Minimum frontage for a townhouse lot: 20 feet.
- (b) Minimum lot width at the setback line:
 - (1) For an internal townhouse lot: 20 feet.
 - (2) For an end lot in a row of townhouse lots: 30 feet.
 - (3) For all other permitted uses other than common areas: 75 feet, with at least 10 feet of additional lot width at the setback line for each additional permitted use.
- (c) Common areas shall be at least 5 feet in width, with reasonable exceptions allowed by the subdivision agent.

Sec. 90-597. – General standards for townhouse developments.

The following standards apply to all townhouses developments:

- (a) A Site Plan is required.
- (b) Developments shall be served by public water and sewer.
- (c) A homeowners' association shall be created to own and operate the common elements of the development.
- (d) Minimum total acreage of development zoned R-TH including lots for principal uses and common areas: 10 acres.
- (e) Developments shall consist of at least 24 townhouse units.
- (f) Townhouses shall be constructed in a group of at least three (3) and no more than 8 attached units.
- (g) Townhouses in a group shall have varied front setbacks so that no more than three (3) abutting townhouses have the same front yard setback.
- (h) Townhouse lots shall front on public rights-of-way dedicated for public use.
- (i) Provisions shall be made for vehicular access and turn around for emergency vehicles and regularly scheduled public service vehicles such as trash collection.
- (j) A common area shall be provided, equivalent to at least 30% of subdivision acreage. Common areas shall not include private roads, alleys, parking areas, and public rights-of-way, except that pedestrian travelways such as sidewalks inside or outside of public rights-of-way may be counted toward required acreage for common areas.
- (k) Within required common areas, a minimum of 10% of the subdivision acreage, but in no case less than 1.5 acres, shall be provided for recreational facilities, including active recreation, passive recreation, and community buildings, as deemed appropriate during plan review. Unless a phasing plan is approved through preliminary plat review, construction of common areas shall be completed according to the approved plan prior to issuance of building permits for individual townhouse units. An approved phasing plan may include limitations on the issuance of building permits for individual townhouse units.

Sec. 90-598. Building heights.

Buildings in a R-TH district may be erected up to 35 feet in height from grade, except that:

- (1) The height limit for a group of townhouses may be increased up to a limit of 45 feet and three stories, provided that there are two side yards for each townhouse structure, with one foot or more of additional side yard added to each side yard for each additional foot of building height over 35 feet.**
- (2) A public or semipublic building such as a school, church, library or hospital may be erected to a height of 60 feet from grade, provided that the required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.**
- (3) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennae and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.**
- (4) All accessory buildings shall be less than the main building on the lot in height.**
- (5) Accessory buildings on townhouse lots shall not exceed 15 feet in height.**

Sec. 90-599. – Reserved.

Sec. 90-600. - Accessory uses and structures permitted.

Accessory uses and structures are permitted as defined, provided that:

- (a) No accessory structure may be closer than five feet to any property line, and shall not be located within a front setback or corner side setback area established for a main structure.**
- (b) Accessory structures on townhouse lots shall be permitted only in rear yard areas and shall be no larger than 10 feet by 10 feet in area.**
- (c) Accessory buildings attached to a main building shall be considered part of the main building.**
- (d) Roof- or ground-mounted small solar energy facilities are considered accessory uses, provided that the solar facility only generates energy for that structure.**

Secs. 90-601—90-640. - Reserved.

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

P-2. Ordinance to Amend “The Code of the County of Prince George, Virginia”, 2005, as Amended, by Amending § 63-72(H) to Require Names for (1) Roads Proposed for Acceptance in the State Road System; (2) Rights-of-Way or Access Easements Intending to Serve Three or More Addressable Structures; and (3) Any Other Travelway Which the GIS Coordinator Determines Should Be Named. Mr. Dan Whitten, County Attorney, stated that the County Code currently states only public and private rights-of-way accessing five or more properties or addressable structures shall have a separate road name. The proposed Ordinance amending Section 63-72(h) states at the time of plat review, the following travelways shall be named: (1) all roads proposed for acceptance in the state road system; (2) right of way or access easements intended to serve three or more addressable structures; and (3) any other travelway which the GIS Coordinator determines should be named to promote safety and welfare

to the public. A draft ordinance is presented for consideration; a motion approving the ordinance is requested. Chair Waymack opened the public hearing at 7:54 p.m. There was no one to speak and the public hearing was closed. Mr. Hunter made a motion, seconded by Mr. Carmichael, to approve an Ordinance amending Section 63-72(h) to require names for roads proposed for acceptance in the state road system, rights of way or access easements serving three or more addressable structures and any other travelway which the GIS Coordinator determines should be named. Roll was called on the motion.

O-22-02

P-2.

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF
PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY
AMENDING § 63-72(h) TO REQUIRE NAMES FOR (1) ROADS PROPOSED FOR
ACCEPTANCE IN THE STATE ROAD SYSTEM; (2) RIGHTS-OF-WAY OR ACCESS
EASEMENTS INTENDING TO SERVE THREE OF MORE ADDRESSABLE
STRUCTURES; AND (3) ANY OTHER TRAVELWAY WHICH THE GIS COORDINATOR
DETERMINES SHOULD BE NAMED

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 § 63-72(h), as follows:*

CHAPTER 63 ADDRESSING

ARTICLE III. NAMING OF STREETS

Sec. 63-72. – Approval of proposed names; general naming.

(h) At the time of plat review, the following travelways shall be named:

- (1) **All roads proposed for acceptance in to the state road system;**
- (2) **All rights-of-way or access easements intended to serve three or
more addressable structures;**
- (3) **Any other travelway which the GIS Coordinator determines
should be named to promote the safety and welfare of the public.**

~~Only public and private rights of way accessing five or more properties or addressable
structures shall be named.~~

Addressable structures served by unnamed rights-of-way or access easements shall be addressed using the name of the travelway from which the unnamed right-of-way or access easement originates.

~~Addressable structures served by rights-of-way serving less than three properties or addressable structures, or such single-owner private access easements that are not named, shall be addressed using the name of the travelway from which the right of way or single-owner private access easement originates.~~

Any named travelway which is not required to be named may have such name removed upon the request of the owner that owns property on the travelway. Requests for naming, or removing names from travelways shall be submitted in writing to the GIS Office. After a travelway name change, addresses for addressable structures on the travelway will be assigned or reassigned in accordance with the provisions of this chapter.

~~Any single-owner private access easement previously named may have such name removed upon the request of the owner. Requests for naming, or removing names from, single-owner private access easements shall be submitted in writing to the office. Addresses for addressable structures on single-owner private access easements for which the owner requests either a name or the removal of a name will be assigned or reassigned in accordance with the provisions of this chapter.~~

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

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

REPORTS (cont'd)

Discussion of Winter/Spring 2022 Borrowing – Ms. Betsy Drewry, Finance Director and Deputy County Administrator, stated that borrowing has not been completed for FY2021 Capital Improvement Projects (last fiscal year). Staff is awaiting actual numbers for Garage Expansion / Renovation prior to borrowing. The new Elementary School was on the FY2021 CIP listing - borrowing completed through VPSA in Spring of 2021. Without the new school, they are looking to borrow \$5,764,000. Ms. Drewry stated that bids were received on January 18 and the Garage Expansion project budget was updated to \$3,065,000 and includes construction \$2,509,000 (will be discussed and possibly awarded during Order of Business), Land & Site

Analysis \$12,102, Site Development \$7,500, IT / FFE / Lift Equipment \$110,000, A&E and Testing Services \$228,639 (\$154,539 approved and appropriated to date with reimbursement resolutions), other Fees and soft costs (Electrical / Permits) \$52,000, and Contingency (5%) \$145,759. The contract award for construction will be considered later this evening. In summary the total borrowing is estimated to be \$5,764,000 unless the Board chooses to cash fund part of the Garage. \$1,000,000 financed for 15 years at 4% has an annual debt payment of \$89,941. So, if the Board chose to take \$1 million from contingency, it would be a savings of nearly \$90,000 a year. By January 27, Davenport will issue an RFP for the Borrowing. On February 8, the Board will consider an authority to advertise public hearings for the borrowing estimated at up to \$5,764,001 and the appropriation estimated at \$3,060,461. Mr. Hunter asked if they could decide to cash fund any of the Garage project later. Mr. Brown stated that he would rather cash fund the \$1 million. Mr. Webb stated that his gut tells him to use the Fund Balance as well, but his concerns are that they do not know what else is out there. Ms. Drewry stated that they could potentially do the RFP with two different numbers. However, we would need a final decision when we advertise the public hearing on February 8. On February 22 the Lender Borrowing Proposals are due to Davenport. February 23-25 Davenport and Staff will develop a recommendation for the lender for the February 28 packet deadline for the March 8 meeting. The public hearings will be held on March 8. The issuance of this debt does not create a need for a tax increase in FY2023. The debt repayment for this borrowing will begin in FY2023 (8/1/22 Interest; 2/1/23 Principal and Interest). Mr. Webb asked if there have been any updates from the School on the construction of the new elementary school. He stated that the insurance number concerns him a little bit. Ms. Drewry stated that they can have Dr. Pennycuff come give the Board an update at a future Board meeting.

Update on Municipal Utility ARPA Funding – Ms. Drewry stated that the Virginia Department of Housing and Community Development (DHCD) is administering a state distribution of SLFRF ARPA funding for Municipal Utilities (*similar* to CARES funding – PG Received \$108,469.39 in FY2021). The Prince George County Utility Department applied for and is eligible to receive 76,552.52 in SLFRF ARPA Municipal Relief Funding. There is no local match. Funds will be used to offset / cover delinquent residential customers with arrearage balances (delinquent accounts) over 60 days delinquent on August 31, 2021. Funds must be used (applied) by March 31, 2022. No customer attestations required for ARPA funding (as compared to CARES). Staff will request appropriation from the Board when received. It will be ready to apply to customer accounts when received (to meet 3/31/22 deadline). Mr. Webb asked if they are not requiring applications, how will they determine who is eligible. Mr. Frank Haltom, County Engineer, stated that there are strict guidelines as to who is eligible.

POSTPONED ITEMS

T-1. Resolution; Adoption of 2022 Board of Supervisors By-Laws and Rules of Procedure. Mr. Dan Whitten, County Attorney, stated that this item was postponed from the Board's Organizational Meeting on January 4. Mr. Brown and Mr. Webb have proposed changes, including the term for Chair and Vice-Chair on midnight on December 31 for all years. The Board would make every effort for representation from District 1 and 2 for the positions of Chairman and Vice-Chairman. The positions of Chairman and Vice-Chairman will rotate annually based on seniority. If two members have the same seniority, they will go alphabetically. If the Board member who is next in line declines the position, then it will rotate

to the next Board member based on alphabetical order. If any Board member meets with Staff, the substantive content would be shared with all Board members in a timely manner by the County Administrator. A member can call in to 25% of the meetings for a personal matter. Whether the gathering of the Board constitutes a meeting will be determined by the Virginia Freedom of Information Act. If a Board member abstains from voting, they must provide a reason. Any item can be placed or removed on the Agenda by consensus of the Board. The By-Laws will be approved and amended annually at the Organizational Meeting by majority of the full Board. In addition, if postponed, it will still require the majority of the Board. It will also require the full Board to suspend the By-Laws for a particular item. Mr. Carmichael made a motion, seconded by Mr. Webb, to adopt the By-Laws as presented. Roll was called on the motion.

R-22-018

T-1.

2022 BY-LAWS AND RULES OF PROCEDURE OF THE BOARD OF SUPERVISORS

BE IT RESOLVED by the Board of Supervisors of the County of Prince George, Virginia, that the following by-laws and rules of procedure shall govern the conduct of meetings of the Board of Supervisors during the 2022 calendar year.

OFFICERS

Sec. 1A At the first meeting of the calendar year, the Board shall elect a chairman and vice-chairman for one-year terms. Such terms shall end at midnight on December 31st. The chairman or, in his absence, the vice-chairman, shall act as presiding officer. In the absence of the chairman and vice-chairman, the longest serving Board member, alphabetically, shall serve as chairman. The Board shall make every effort for representation from both District 1 and District 2 for the positions of chairman and vice-chairman. The positions of chairman and vice-chairman shall rotate annually based on seniority. If two Board members have the same seniority, the position shall be based on alphabetical order by comparing the Board members' last names. If a Board member that is next in line declines the position, the position of chairman or vice-chairman shall rotate to the next Board member based on seniority.

Sec. 1B The presiding officer shall preserve order and decorum. The chairman may speak, make motions and vote on all questions, and the chairman shall decide questions of order and procedure. On any motion made or seconded by the chairman, the chairman shall relinquish chairmanship to the vice-chairman for that motion, and all other Board members shall have a chance to speak to the motion before the chairman addresses the matter. The chairman may allow the public to speak to any agenda item. The chairman may set reasonable time limits for speakers and for public hearings.

Sec. 1C All Board members shall communicate only in their individual capacity as an elected official and shall not represent that any communication is on behalf of the entire Board or the County unless the matter has been discussed by the Board, and the Board member has been designated to communicate on behalf of the Board of Supervisors.

Sec. 1D In accordance with § 2.2-3711, Code of Virginia, 1950, as amended, all proposed appointees to Boards, Commissions, Committees, Authorities or similar bodies shall be discussed in closed session prior to being acted upon by the Board.

PARLIMENTARIAN AND SERGEANT-AT-ARMS

Sec. 2A The County Attorney, or his designee, shall act as parliamentarian to the Board, and his rulings on parliamentary procedure and the application of the by-laws shall be final.

Sec. 2B The Board's Parliamentary Procedures shall be Robert's Rules of Order, Newly Revised, 12th Edition, in all matters not covered by the Board's bylaws, to the extent compatible with law and the historical practices of the Board.

Sec. 2C The Chief of Police and the Sheriff shall serve as Sergeant at Arms.

MEETINGS

Sec. 3A At the first meeting in January, the Board shall set the regular meeting times and dates for the following year, provided that the Board shall meet at least once each month. The chairman may cancel any meeting because of inclement weather and shall reschedule any cancelled meeting at the earliest possible date by sending written notice to each member of the Board.

Sec. 3B Special meetings of the Board may be called by two members of the Board or the chairman in accordance with §§ 15.2-1417 and 15.2-1418 of the Code of Virginia (1950), as amended. Upon making such request, the clerk shall specify the matters to be considered and shall immediately notify in writing all members of the Board and the County Attorney. The meeting may be held within five days of the request only if waivers are signed by every member of the Board and the County Attorney, or if every member and the County Attorney attend the special meeting. The order of business at a special meeting shall follow that of a regular meeting to the greatest extent possible. The clerk shall notify the media of the time and place of such meeting and the matters to be considered.

Sec. 3C Closed sessions shall be held in accordance with the provisions of the Virginia Freedom of Information Act, § 2.2-3700 et seq. Code of Virginia (1950), as amended. Board members recognize the necessity to maintain confidentiality as to all matters discussed in closed session.

Sec. 3D If any Board member meets with staff, the substantive content of such meeting shall be communicated to the entire Board in a timely manner by the County Administrator or his/her designee.

PARTICIPATION BY ELECTRONIC COMMUNICATION MEANS

Sec. 4 The Board of Supervisors may conduct any meeting where in the public business is discussed or transacted through electronic communication means as provided in Code of Virginia § 2.2-3708.2 (1950), as amended, subject to the following requirements:

- a. A member of the Board must notify the chairman that the member is unable to attend the meeting due to either (a) a temporary or permanent disability or other medical condition that prevents the member's physical attendance; (b) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance; or (c) a personal matter and the member identifies with the specificity the nature of the personal matter. Participation by a member due to a personal matter is limited to two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. For the purposes of this section, whether a gathering of the Board constitutes a meeting shall be determined by the notice that is statutorily required by the Virginia Freedom of Information Act.
- b. A quorum of the Board must be physically assembled at one primary or central meeting location.
- c. The Board must make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.
- d. The Board shall record in its minutes the remote location from which the member participated, but the location does not have to be open to the public.
- e. The Board shall record in its minutes that the member participated through electronic

communications due to either (a) a temporary or permanent disability or other medical condition; (b) a family member's medical condition that required the member to provide care for such family member; or (c) a personal matter and the minutes shall include the specific nature of the personal matter.

- f. If a member's participation from a remote location is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.
- g. The policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
- h. The Board may meet by electronic communication means without a quorum of the Board physically assembled at one location when either the Governor has declared a state of emergency pursuant to Virginia Code § 44-146.17 (1950), as amended, or Prince George County has declared a local state of emergency pursuant to Virginia Code § 44-146.21 (1950), as amended, provided that (a) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and (b) the purpose of the meeting is to provide for the continuity of operations of the public body or the discharge of its lawful purposes, duties, and responsibilities. The Board convening such a meeting shall (a) give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the Board; (b) make arrangements for public access to the meeting through electronic communication means, including videoconferencing; (c)

provide the public with the opportunity to comment at those meetings of the public body when public comment is customarily received; and (d) otherwise comply with the provisions of Virginia Code Title 2.2 Chapter 37 (1950), as amended. The nature of the emergency, the fact the meeting was held by electronic communication means, and the type of electronic communications means by which the meeting was held shall be stated in the minutes.

VOTING

Sec. 5A A quorum shall consist of at least three members of the Board. A majority of a quorum shall be sufficient to carry any question except tax issues, the incurring of debt and appropriations in excess of \$500, all of which shall require a majority of the full Board for adoption. No Board member is required to vote on any question, but an abstention, although not a vote in favor of carrying a question, shall be counted as a vote for the purpose of determining a quorum. If a Board member abstains from voting, the Board member shall provide a reason for abstaining. A tie vote shall defeat the motion, resolution or issue voted on, provided that all zoning cases must be disposed of by a motion approved by a majority of those voting. In the event that a tie vote occurs when a member of the Board is absent, the matter is automatically added to the Board's next meeting agenda, at which time a vote will be taken on the original motion. An abstention is considered a vote for all purposes and defeats a motion requiring a unanimous vote. The Board shall not designate a tiebreaker pursuant to § 15.2-1421 of the Code of Virginia (1950), as amended.

Sec. 5B Any vote by a Board member is final once cast. No ordinance, resolution or motion previously voted upon by the Board shall be brought forward for reconsideration during the same meeting of the Board and shall be final unless changed by the Board at a subsequent

meeting in accordance with applicable law.

Sec. 5C If the maker of a motion and the member seconding the motion agree, a motion may be amended or withdrawn. Only one substitute motion shall be in order for a main motion. All motions to postpone shall be to a date certain. Prior to voting on a motion to postpone or remand, the Board shall hear public comment if a public hearing was scheduled for the item.

AGENDA

Sec. 6A The County Administrator shall prepare an agenda in consultation with the chairman and vice-chairman prior to a regular meeting; provided that any item shall be placed on the agenda by an informal consensus of three or more Board members provided that every Board member is informally polled by the County Administrator. Any item can be removed from the agenda by an informal consensus of three or more Board members provided that every Board member is informally polled by the County Administrator. The agenda shall be available to Board members no later than five calendar days prior to a regular meeting. The agenda shall be available for public inspection in the County Administrator's office.

Sec. 6B No matter on the scheduled agenda shall be considered after 11:00 p.m. without the unanimous consent of the Board. Any matter not heard shall be automatically continued to the next appropriate scheduled meeting of the Board.

ORDER OF BUSINESS

Sec. 7A The order of business at a regular meeting shall be as follows:

- a. Call to order.
- b. Invocation.
- c. Pledge of Allegiance.
- d. Public comment period.

- e. Adoption of agenda including requests to postpone actions, additions, deletions or changes in the order of presentation for any agenda item.
- f. Order of consensus ("consent agenda") with the first item being approval of the minutes from the previous meeting. Reading of the minutes shall be automatically dispensed with. The Board may only correct minutes after approval upon a showing that a clerical or administrative mistake was made.
- g. Presentation of Commendations.
- h. Reports.
- i. Supervisors' comments.
- j. County administrator's comments.
- k. County business not requiring a public hearing; including appointments. Postponed items shall be considered first. All appointments shall be made by vote of a majority of the full Board.
- l. Public hearings.
- m. Adjournment.

The County Administrator shall schedule closed sessions as appropriate.

Sec. 7B The consent agenda shall be considered by the Board as a single item requiring one motion and one vote. There shall be no debate regarding individual items on the consent agenda. Any Board member may remove an item from the consent agenda for comment by the Board prior to the vote. Any item removed shall be voted on separately after voting on the consent agenda.

PUBLIC COMMENT

Sec. 8A Those persons wishing to speak during the public comment period will be asked to sign in with the clerk and to limit their remarks to the time limit determined by the chairman. A speaker, when recognized by the chairman, shall stand and state his or her full name, place of residence and group affiliation, if any, before proceeding.

Sec. 8B Written comments submitted to the clerk of the Board will be included as part of the Board packet, if possible.

Sec. 8C Public comment period is for citizens to address the Board about any issue not listed for a public hearing on the agenda for the meeting. It is not intended to be a question and answer period or for interchange between the Board and the speaker. Comments must be germane to the services or practices of the County. The chairman may require speakers to confine their remarks to a set time limit. The chairman may direct appropriate staff to later respond to any questions posed by the speaker.

Sec. 8D Persons speaking before the Board will not be allowed to:

- a. Campaign for public office;
- b. Promote private business ventures;
- c. Use profanity or vulgar language;
- d. Engage in personal attacks or insults; or
- e. Address pending litigation.

Sec. 8E Speakers will not be permitted to use audiovisual materials or other visual displays, but may present written and photographic materials to the Board members.

PUBLIC HEARINGS

Sec. 9 At every public hearing, individuals who wish to speak shall sign in using a sheet made available by the Clerk prior to the opening of the public hearing. The order of business for public hearings shall be as follows:

- a. The chairman shall request the appropriate County staff member to describe the subject of the public hearing.
- b. Any applicant for an item that is the subject of the public hearing shall then be

allowed a period of time to present detailed information about the issue or application. The chairman shall determine the time allotted for the presentation by the applicant.

- c. At the conclusion of the applicant's presentation, the members of the Board shall be allowed to ask questions of the applicant and staff to clarify anything that has been presented.
- d. The chairman shall officially open the public hearing, and members of the public shall then be allowed to speak in the order in which they registered with the clerk.
- e. After all registrants from the clerk's list have spoken, additional individuals may speak.
- f. Speakers shall come to the podium and give their name and address before addressing the Board.
- g. Speakers are requested to keep their comments within the time set by the chairman, and the comments shall be relevant to the subject of the public hearing.
- h. Each member of the public may speak once at the hearing.
- i. Speakers will not be permitted to use audiovisual materials or other visual displays, but may present written and photographic materials to the Board members.
- j. If at any time during the public hearing, a member of the public has a question, the written question may be presented to the clerk.
- k. After the chairman closes the public hearing, no further public comments are in order.
- l. After chairman closes the public hearing, the applicant will be granted a period of time set by the chairman to respond to what has been said by the public. The

applicant will use this time only to respond to comments which have been made during the public hearing.

- m. When the applicant has completed their response to the public comments, the chairman will read any questions submitted by a member of the public and request a response from the appropriate party.
- n. The chairman, with approval of the Board, has the authority to vary the guidelines as necessary.

ZONING

Sec. 10A All zoning cases, (including all forms of conditional zoning, special exceptions and substantial accord determinations) shall be considered and voted on by the Board within the time limits prescribed by the Code of Virginia after consideration and recommendation of the Planning Commission.

Sec. 10B Without further action by the Board, all rezoning applications (including all forms of conditional zoning, special exceptions and substantial accord determinations) are automatically referred to the Planning Commission for its recommendation upon completion of a zoning application with the Planning Department.

COMMITTEES

Sec. 11A The Board shall have the power to appoint such committees as the Board deems advisable. Said committees shall act in an advisory role and shall have the power to recommend a course of conduct to the Board.

Sec. 11B The Board may appoint a Budget Committee to review the County budget on an annual basis. The Budget Committee will consist of two (2) members of the public, one (1) residing in District 1 and one (1) residing in District 2. The Budget Committee will also consist

of the County Administrator and all Deputy County Administrators. The Board will appoint the citizen members of the Budget Committee for a term that runs from July 1 to June 30 of each fiscal year. The Budget Committee will present recommended changes to the annual budget to the entire Board. The actions of the Budget Committee shall in no way bind the Board.

Sec. 11C All Board-appointed committees shall give notice of the date, time and location of any committee meeting with at least two (2) days' notice prior to the meeting. The notice shall be emailed to the Board members, posted on the County website and placed in a prominent public location at which notices are regularly posted. The committees shall not be required to present an agenda or take minutes of the meeting.

USE OF CAMERAS AND RECORDING DEVICES AT BOARD MEETINGS

Sec. 12 Cameras and recording devices may be used in a non-disruptive way in the meeting room, provided however, that any placement of such equipment in or around the Board of Supervisors' tables shall be first approved by the clerk. Such devices shall be turned off or removed during any closed session.

SUSPENSION OR AMENDMENT OF BY-LAWS AND RULES OF PROCEDURE

Sec. 13A These by-laws and rules of procedure shall be approved annually at the organizational meeting by a majority of the full Board and may be amended at the organizational meeting by a majority of the full Board. If the consideration of the by-laws and rules of procedures is postponed to a regular meeting, the by-laws and rules of procedure may be amended by a majority of the full Board.

Sec. 13B After these by-laws and rules of procedure are adopted annually, they may be suspended for an individual agenda item by a unanimous vote of the full Board.

Sec 13C These by-laws and rules of procedure may be amended for the remainder of any calendar year by a unanimous vote of the full Board.

ETHICS

Sec. 14 The Board of Supervisors will reference The Ethical GPS Navigating Everyday Dilemmas, VML for guidance on ethical service by elected officials.

Revised January 25, 2022

On roll call the vote was:

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

Opposed: (0)

Abstained: (0)

ORDER OF BUSINESS

A-1. Resolution: Authority to Advertise a Public Hearing for a One-Time Waiver of Sections 82-311(A) and 82-591 of The Code of the County of Prince George, Virginia. Mr. Frank Haltom, County Engineer, stated that Landmark Industrial intends to develop a 355,000 SF industrial warehouse on tax parcel 340(0A)00-028-B along Chudoba Parkway. Prince George currently has insufficient water and wastewater capacity to serve this project. In order to secure financing for the project, among other requirements, Landmark Industrial must identify a reliable source of potable water and domestic wastewater treatment. The County is taking steps to provide additional water and wastewater capacity to the Southpoint Business Park area. However, it will take 24 to 36 months to complete the necessary improvements to serve this part of the county. Until the public water and wastewater improvements are complete, the applicant requests a waiver of the ordinance to allow them to install private water and wastewater facilities to serve the property. An Ordinance is required for a one-time waiver to County Code Section 82-311(a) and 82-591. A resolution authorizing a public hearing to consider the waiver is proposed to the Board; a motion approving the resolution is requested. Mr. Hunter made a motion, seconded by Mr. Webb, to approve the resolution authorizing the advertisement of a public hearing to consider a one-time waiver of Code Sections 82-311(a) and 82-591 to allow the use of private water and wastewater facilities to serve tax parcel 340(0A)00-028-B until the completion of the necessary public water and wastewater improvements to serve the property.

R-22-019

A-1.

RESOLUTION: AUTHORITY TO ADVERTISE A PUBLIC HEARING FOR A ONE-TIME WAIVER OF SECTIONS 82-311(A) AND 82-591 OF THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA.

WHEREAS, County Code Sections 82-311(a) and 82-591 prohibits the use of private water and wastewater facilities where public water and wastewater facilities are available; and

WHEREAS, Prince George currently has insufficient water and wastewater capacity to serve this project; and

WHEREAS, The applicant requests a waiver of the ordinance to allow them to install private water and wastewater facilities to serve the property until the public water and wastewater improvements are complete.

NOW, THEREFORE BE IT RESOLVED: That the Board of Supervisors of the County of Prince George this 25th day of January, 2022, does hereby authorize the advertisement of a public hearing to consider a one-time waiver of Sections 82-311(A) and 82-591 of the Code of the County of Prince George.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-2. Resolution; Awards of Contract (\$2,567,100 - \$2,509,000 Construction Contract and \$58,100 for Architectural Construction Management Services, County Garage Expansion). Mr. Dean Simmons, General Services Director, stated that during the adoption of the FY2021 budget and CIP, the Board of Supervisors approved a Garage Expansion as a FY2021 capital project to be paid for with debt issuance. The debt issuance was originally planned for the Spring of 2021 with other FY2021 projects, but has been moved to late winter of 2021 / 2022. The main focuses of the expansion are to allow for the repair and maintenance of large apparatus within an enclosed garage bay, and to add office and storage space. Construction and A&E construction management services remain to be awarded and appropriated to the project. Additionally, some other engineering services, electrical service connections, furnishing/fixtures and equipment, IT needs, project contingency and other miscellaneous costs need to be appropriated to the project budget. Three (3) bids were received and the lowest responsive and responsible bid was in the amount of \$2,509,000 and was submitted by Loughridge & Company. Staff is recommending award of construction contract to Loughridge & Company in the amount of \$2,509,000; and Staff is recommending award of contract for architectural construction management services to Guernsey Tingle in an amount not to exceed \$58,100. Staff is requesting the board to authorize the Interim County Administrator to execute a contract with Loughridge & Company for \$2,509,000 for construction – Garage Expansion / Renovation and for the Interim County Administrator to execute a contract with Guernsey Tingle not to exceed \$58,100 for architectural construction management Services. In addition, a reimbursement resolution is required to allow the County to reimburse itself for construction costs incurred and for A/E construction management services when debt is issued. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the awards of contract. Roll was called on the motion.

A-2.

RESOLUTION; AWARDS OF CONTRACT (\$2,567,100 - \$2,509,000 CONSTRUCTION CONTRACT AND \$58,100 FOR ARCHITECTURAL CONSTRUCTION MANAGEMENT SERVICES, COUNTY GARAGE EXPANSION)

WHEREAS, Invitation for Bid 22-10-0504 was issued on December 15, 2021 with a closing date of January 18, 2022 with three (3) bids, of which the lowest responsive and responsible bid was received from Loughridge & Company in the amount of \$2,509,000; and

WHEREAS, staff is recommending and award of contract for construction to Loughridge & Company in the amount of \$2,509,000; and

WHEREAS, a pricing proposal was received from Guernsey Tingle, one of three contracted Architectural and Engineering Firms as awarded on November 10, 2020 via RFP 21-04-0504, in an amount not to exceed \$58,100 for construction management services for a Garage Expansion project; and

WHEREAS, the Garage Expansion was included in the adopted FY2021 CIP, with the planned funding source of a 2022 borrowing the date of which is expected to be approved on March 8, 2022; and

WHEREAS, Staff is requesting authorization for the Interim County Administrator to enter into a contracts for the Garage Renovation as follows:

Construction Services - Loughridge & Company in the amount of \$2,509,000;
Construction Management A/E Services with Guernsey Tingle in an amount not to exceed \$58,100.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 25th day of January, 2022, hereby awards the contracts for construction to Loughridge & Company in the amount of \$2,509,000; and for construction management services to Guernsey Tingle in an amount not to exceed \$58,100 and authorizes the Interim County Administrator to execute contracts with Loughridge & Company and Guernsey Tingle. Appropriation of funds will occur when debt is issued following a public hearing.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Mr. Hunter made a motion, seconded by Mr. Brown, to approve the reimbursement resolution as presented. Roll was called on the motion.

R-21-021

A-2.

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

WHEREAS, the Board of Supervisors (the "Board") of the County of Prince George, Virginia (the "County") has previously determined to undertake the purchase of construction services and construction management services (architectural services) for an expansion of the County Garage of \$2,567,100 (\$2,509,000 for construction and \$58,100 for construction management A&E services);

WHEREAS, the Board currently expects that the cost of the Purchase, excluding the costs of the financing thereof, will be approximately \$2,567,100;

WHEREAS, the Board currently expects to incur long-term indebtedness in an amount now estimated at \$2,567,100 to pay a portion of the costs of the Purchase, which indebtedness may take the form of tax-exempt bonds or other types of debt; the proceeds of such indebtedness may be used either for paying costs of the Purchase directly or for repaying other indebtedness previously incurred for the Purchase or for a combination of such purposes; and

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

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

1. The County intends to utilize the proceeds of tax-exempt bonds or notes (the "Bonds") or to incur other debt to pay Purchase costs in an amount not currently expected to exceed \$2,567,100.
2. The County intends that the proceeds of the Bonds be used to pay or reimburse the County for the payment of Expenditures made after the date of this Resolution or made within 60 days prior to the date of this Resolution or Expenditures which are incurred for certain preliminary costs such as architectural, engineering, surveying, soil testing, bond issuance expenses and the like. The County reasonably expects on the date hereof that it will pay or reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, or (c) a nonrecurring item that is not customarily payable from current revenues.
4. The County intends to make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is

paid or the Purchase is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, and certain de minimis amounts.

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

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

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-3. Resolution; Appropriation (\$5,100 DCIS Coronavirus Emergency Relief Technology Grant – Commonwealth's Attorney). Ms. Betsy Drèwry, Finance Director, Deputy County Administrator, stated that on December 21, 2021 the Prince George County Commonwealth's Attorney received an email notice of an award of a Department of Criminal Justice Services (DCJS) Coronavirus Emergency Supplemental Funding grant in the amount of \$5,100. The formal notice of award and Statement of Grant Award was signed on January 5. Susan Fierro, Commonwealth's Attorney, applied for the grant (which does not require a local match) in October of 2021, and later amended the grant in early January. The grant will cover technology (laptops and external drives) for the office of the Commonwealth's Attorney and will allow for continued virtual operations if pandemic quarantining occurs. Department 0206 was established within the General Fund to separately track expenditures for this grant funding. The funds will be used to pay for: Three (3) Laptops with accessories and External Hard Drives for viewing videos for court proceedings - \$5,100.00. The grant period runs from 1/1/2022 – 12/31/2022. Mr. Brown stated that out of consistency, the Commonwealth's Attorney should have come before the Board first even though there is no local match. Mr. Webb made a motion, seconded by Mr. Brown, to approve the budget amendment / increase in General Fund revenues and expenditures. Roll was called on the motion.

R-22-022

A-3.

RESOLUTION; APPROPRIATION (\$5,100 DCJS CORONAVIRUS EMERGENCY RELIEF TECHNOLOGY GRANT – COMMONWEALTH'S ATTORNEY)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of January, 2022, does hereby authorize the following increase of funds within the 2021-2022 Budget, such line items increased as follows, which monies shall be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
GENERAL FUND	
0100-02-020-0206-48107 CA CESF Technology Grant	\$5,100.00
<u>Revenue:</u>	
0100-30-601-8305-330316 DCJS CESF Technology Grant Comm. Atty	\$5,100.00

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-4. Resolution; Authority to Advertise an Ordinance to Amend "The Code of the County of Prince George, Virginia," as Amended, by Amending §66-1 to Remove the Term "Brush" from the Definition of "Solid Waste." Mr. Dan Whitten, County Attorney, stated that the County Code Section 66-1 currently defines "Solid Waste" as any waste material of a solid or semisolid nature, including industrial wastes, refuse, construction and demolition debris, brush and sludge resulting from the processing of drinking water and the treatment and disposal of wastewater. The proposed Ordinance amending Section 66-1 will remove "brush" from the definition of solid waste. The change will allow residents to burn brush in the County as long as they are following the regulations contained elsewhere in the County Code. However, given the comments heard earlier by the Board, Mr. Whitten stated that it raises the question should setbacks be required for burning brush in all districts. Therefore, if the Board wanted to consider that, they could both be advertised. Mr. Brown stated that he is not sure that a 50-foot setback is enough in an R-2 zone. He stated that he needs to think a little more about it. Mr. Whitten stated that another option would be to present a minimum acreage versus a certain distance setback. Mr. Whitten stated that he could go back to the drawing board and bring the new ideas back. Mr. Webb stated that he believes there is another ordinance that states that you are not allowed to bring brush in from another location to burn. If he is not mistaken, he thought the person near Mr. Schultz was bringing it in from another location. There was a similar situation a while back on Old Stage Road. Mr. Brown stated that he thinks it is premature to have a public hearing until this is resolved. Mr. Carmichael made a motion, seconded by Mr. Brown, to postpone this item to the February 8 work session for further discussion. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-5. Resolution Confirming Agreement for Mutual Aid Radio Patch and Radio Programming Memorandum of Understanding Between the City of Petersburg and the County of Prince George. Mr. Dan Whitten, County Attorney, stated that the City of Petersburg

Emergency Communications Center has reached out to the Prince George Emergency Communications Center to establish a mutual aid radio patch and radio programming. Both parties agree that it would be a mutual benefit to create and allow field unit to field unit communications between the agencies through a mutual aid radio patch and the pre-programming of user Talk Groups or Channels. Both parties will provide access to Law Enforcement, Fire and Emergency Medical Service subscriber portables and mobiles as well as their Emergency Communications Centers. Talk groups and frequencies will be programmed into Remote Radio Control Stations and subscriber portables and mobile radios within its Public Safety Radio System to create direct communication between the radio systems emergency service providers. A verbal agreement via telephone between Emergency Communications Centers will be obtained before any "patch" is made. Mr. Hunter made a motion, seconded by Mr. Carmichael to adopt a Resolution confirming the Memorandum of Understanding for Mutual Aid Radio Patch and Radio Programming between the City of Petersburg and Prince George County and authorize the Interim County Administrator to execute the Memorandum of Understanding. Roll was called on the motion.

R-22-023

A-5.

RESOLUTION CONFIRMING AGREEMENT FOR
MUTUAL AID RADIO PATCH AND RADIO PROGRAMMING MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY OF PETERSBURG AND THE COUNTY OF
PRINCE GEORGE

WHEREAS, the City of Petersburg Emergency Communications Center would like to establish a mutual aid radio patch and radio programming with Prince George County Emergency Communications Center;

WHEREAS, both parties agree that it would be a mutual benefit to create and allow field unit to field unit communications between the agencies through a mutual aid radio patch and the pre-programming of user Talk Groups or Channels, and;

WHEREAS, both parties will provide access to Law Enforcement, Fire and Emergency Medical Service Subscriber portables and mobiles as well as their Emergency Communications Centers.

NOW, THEREFORE, BE IT RESOLVED, that the Prince George County Board of Supervisors confirms authorization and approval, of the Mutual Aid Radio patch and Radio Programming Memorandum of Understanding between the City of Petersburg and the County of Prince George attached hereto and directs the Interim County Administrator to execute and enter into such Memorandum of Understanding.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

A-6. Discussion of ABC License Application for Disputanta Shell. Mr. Dan Whitten, County Attorney, stated that on January 5, 2022, Prince George County received notification from the VA ABC of the FuelVision LLC ABC license application. Per state code, local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application. The Prince George County Board of Supervisors may recommend to the VA ABC: 1) approval, 2) denial, 3) approval with conditions, or 4) take no action on the notice. Any comments made by Prince George County Board of Supervisors will be submitted to the Virginia Alcoholic Beverage Control Authority. VA ABC has final authority on this matter. The Board had no objections to the notice, therefore they took no action.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-7. Consideration of Appointments – Board, Commissions, Committees, Authorities:
Resolution of Appointment(s):**

A. Resolution; Appointment; Two Board Members; Expense Report Review Committee for County Administrator, County Attorney, and County Clerk. Mr. Hunter made a motion, seconded by Mr. Carmichael to reappoint Mr. Floyd M. Brown, Jr. and Mr. T. J. Webb. Roll was called on the motion.

R-21-024

A-7A

**RESOLUTION; APPOINTMENT; TWO BOARD MEMBERS; EXPENSE
REPORT REVIEW COMMITTEE FOR COUNTY ADMINISTRATOR,
COUNTY ATTORNEY, AND COUNTY CLERK**

WHEREAS, The Administrative Policy states that the Board of Supervisors will annually appoint a committee of two members to review and approve any expense report and supporting documentation for employees who report directly to the Board (County Administrator, County Attorney and County Clerk); and

WHEREAS, This committee will review and approve the purchase cards/credit card receipts and monthly statements for employees who report directory to the Board (County Administrator, County Attorney, and County Clerk).

NOW, THEREFORE BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of January, 2022, hereby appoints Floyd M. Brown, Jr. and T. J. Webb to serve on the Expense Report Review Committee for the calendar year 2022, or until two successors are appointed by the Board.

On roll call the vote was:

In favor: (5) Hunter, Waymack, Webb, Brown, Carmichael
Opposed: (0)
Absent: (0)

A-8. Resolution; Authorize the Fire/Ems Department to Complete and Submit a Grant Application to FEMA for Safer Recruitment and Retention. Fire/EMS Chief Paul Beamon stated that the Prince George Fire and EMS Department (hereafter referred to as PGFEMS) is requesting approval from the Prince George County Board of Supervisors to pursue grant opportunities offered by the Department of Homeland Security (DHS) and Federal Emergency Management Agency's (FEMA) entitled "Volunteer Recruitment and Retention (SAFER Recruitment & Retention) Grant Program" (hereafter referred to as the Recruitment and Retention Program). PGFEMS is seeking to apply for Recruitment and Retention funding under the SAFER Recruitment and Retention Grant [EMW-2021-FF-01053] for three (3) years in the amount of \$800,000 through FEMA, due February 4, 2022. The Recruitment and Retention grant will aid in the development and growth of our volunteer members and provide funding to increase training for our existing leadership team. The Covers all expenses concerning developing, delivering, monitoring, and evaluating training, recruitment, and retention programs for the County volunteer fire companies. The program will also implement performance measures for volunteer fire companies to retain members. Multiple sessions of the required training will be delivered over time and at various times of the day, evening, and weekends to allow everyone an opportunity to attend. Volunteer fire companies that do not implement the recommended, approved practices to increase retention of members may risk losing funding from the County. Recruitment efforts will be made at the local high school, military base, job fairs, civic organizations, and other events to increase new applicants as identified in our marketing plan. All new applicants will be required to enter the Fire Academy and the EMS Academy and complete the training within 24 months. Once the minimum criterion has been met for training, the recruits may begin a ride-along program to assist in a manner that does not jeopardize their safety. Thus allowing them to start contributing to customer service delivery and not wait two years after they complete all training required. Supervision will be closely exercised over all probationary recruits at an incident. Helmet colors will be orange so that officers know the recruits are not thoroughly trained and will not be asked to perform tasks beyond their capabilities. Mr. Brown made a motion, seconded by Mr. Carmichael, to approve the grant as presented. Roll was called on the motion.

R-21-025

A-8

AUTHORIZE THE FIRE/EMS DEPARTMENT TO COMPLETE AND SUBMIT A GRANT APPLICATION TO FEMA FOR SAFER RECRUITMENT AND RETENTION

WHEREAS, the Fire/EMS Department is requesting approval of the Prince George County Board of Supervisors to apply for a SAFER Recruitment and Retention grant [EMW-2021-FF-01053] of \$800,000 through FEMA, due February 4, 2022; and

WHEREAS, the total award of \$800,000, a three (3) year grant period, with no cost sharing from the county in years 1, 2, or year 3. After year 3 the county will incur no financial responsibility as the program will end; and

WHEREAS, the Prince George County Board of Supervisors was polled on January 25, 2022 and provided consensus to apply by email.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of January, 2022, does hereby authorize the submission of a grant application to FEMA for \$800,000, which requires no local match or cost sharing in years 1, 2, or year 3.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

ADJOURNMENT. Mr. Carmichael moved, seconded by Mr. Webb to adjourn. 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 8:54 p.m.

[Draft Minutes prepared February 1, 2022 for consideration on February 8, 2022; adopted by unanimous vote.]

Marlene J. Waymack
Chair, Board of Supervisors

Jeffrey D. Stoke
Interim County Administrator