

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

January 10, 2023

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

**MEETING CONVENED.** Chairman Alan R. Carmichael called a regular meeting of the Board of Supervisors of the County of Prince George, Virginia, to order at 5:00 p.m. on January 10, 2023 in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia.

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

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

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

**CLOSED SESSION**

**E-1. Resolution; Closed Session for Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, and such discussion shall be limited to legal interpretation of the Bylaws and Rules of Procedure of the Board of Supervisors.** Mr. Hunter made a motion, seconded by Mr. Brown, that the Board convene closed session for Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, and such discussion shall be limited to legal interpretation of the Bylaws and Rules of Procedure of the Board of Supervisors.

R-23-001

E-1.

**RESOLUTION; CLOSED SESSION FOR SECTION 2.2-3711.A.8 FOR CONSULTATION WITH LEGAL COUNSEL REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY SUCH COUNSEL, AND SUCH DISCUSSION SHALL BE LIMITED TO LEGAL INTERPRETATION OF THE BYLAWS AND RULES OF PROCEDURE OF THE BOARD OF SUPERVISORS**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby vote to enter closed session for Section 2.2-3711.A.8 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, and such discussion shall be limited to legal interpretation of the Bylaws and Rules of Procedure of the Board of Supervisors.

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 5:33 p.m., Mr. Brown made a motion, seconded by Mr. Hunter, that the Board adjourn the closed session and enter open session, certifying that to the best of each Board Members' knowledge (1) only public business lawfully exempted from open meeting requirements were discussed and (2) only matters identified in the convening motion were discussed. Chairman Carmichael asked if any Board member knew of any matter discussed during the closed session that was not announced in its convening legislation. Hearing no comment from the Board, the Chairman asked that the roll be called on the motion.

R-23-001A

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 10<sup>th</sup> day of January, 2023 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) Waymack, Webb, Hunter, Brown, Carmichael

Opposed: (0)

Absent: (0)

Chairman Carmichael called a recess at 5:35 pm. The meeting reconvened at 6:00 pm.

### **Organizational Meeting**

#### **O-1. Election of Board of Supervisors Officers for 2023.**

**A. Resolution; Election of Chairman.** Mr. Carmichael nominated Mr. Donald Hunter Chairman for 2023. There being no other nominations, the nominations were closed by County Administrator Jeff Stoke. Roll was called on the nomination.

O-1A

**RESOLUTION; BOARD OF SUPERVISORS CHAIRMAN FOR 2023**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, hereby elects Mr. Donald R. Hunter, its Chairman for 2023 beginning immediately and serving until midnight on December 31, 2023.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**B. Resolution; Election of Vice-Chairman.** Mr. Brown nominated Mr. T.J. Webb Vice-Chairman for 2023. There being no other nominations, the nominations were closed by County Administrator Jeff Stoke. Roll was called on the nomination. Mr. Webb abstained to refrain from voting for himself.

R-23-003

O-1B

**RESOLUTION; BOARD OF SUPERVISORS VICE-CHAIRMAN FOR 2023**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, hereby elects Mr. T.J. Webb, its Vice-Chairman for 2023 beginning immediately and serving until midnight on December 31, 2023.

On roll call the vote was:

In favor: (4) Waymack, Hunter, Brown, Carmichael

Opposed: (0)

Abstained: (1) Webb

**O-2. Resolution; Adoption of 2023 Board of Supervisors By-Laws and Rules of Procedure.** Mr. Dan Whitten, County Attorney, stated that the By-Laws of the Board of Supervisors currently reference Virginia Code Section 2.2-3708.2 under Participation by Electronic Communication Means, Sec. 4. As of September 1, 2022, this Code Section is only applicable when there is a declared state of emergency. Virginia Code Section 2.2-3708.3 has been added to address participation by electronic communication means. The By-Laws will be amended to reference the correct Virginia Code Section and will now allow a member to participate by electronic communication if the member's principal residence is more than 60 miles from the meeting location identified in the required notice for the meeting. The By-Laws will also be amended to reflect the requirements for meetings held through electronic

communication during declared states of emergency and that the provisions of this section are only applicable during the emergency. In addition, the Board has suggested that the County Attorney and the Clerk be included in communicating to the entire Board in a timely manner should any Board member meet with them regarding substantive comment. Mr. Webb suggested that they give Mr. Whitten time to add the last addition and bring the By-Laws back to the Board at the next meeting. Mr. Carmichael made a motion, seconded by Mr. Webb, to postpone the By-Laws to January 24. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**O-3. Resolution; Adoption of Board of Supervisors 2023 Meeting Schedule.** Mr. Brown made a motion, seconded by Mrs. Waymack, to adopt a modified meeting schedule to reflect an Organizational Meeting on January 2, 2024 at 5:00 p.m. Roll was called on the motion.

R-23-004

O-3.

**RESOLUTION; ADOPTION OF BOARD OF SUPERVISORS  
MEETING SCHEDULE FOR 2023**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, hereby adopts the following meeting schedule for the Year 2023 pursuant to Section 15.2-1416 of the Code of Virginia (1950, as amended); and

BE IT FURTHER RESOLVED That the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia is established as the Board's regular meeting location.

**YEAR 2023 REGULAR MEETING SCHEDULE**  
**PRINCE GEORGE COUNTY BOARD OF SUPERVISORS**

<u>Regular Meeting Date</u>	<u>Location</u>	<u>Closed</u>	<u>Meeting Time</u>		<u>Public Hearings</u>
			<u>Worksession</u>	<u>Business</u>	
Tuesday, January 24, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, February 14, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Wednesday, February 22, 2023	Boardroom	5:00 p.m. (Budget Work Session)			
Tuesday, February 28, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Thursday, March 2, 2023	Boardroom	5:00 p.m. (Budget Work Session)			
Tuesday, March 7, 2023	Boardroom	5:00 p.m. (Budget Work Session)			
Tuesday, March 14, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Thursday, March 16, 2023	Boardroom	5:00 p.m. (Budget Work Session)			
Tuesday, March 28, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Thursday, March 30, 2023	Boardroom	5:00 p.m. (Budget Work Session)			
Tuesday, April 11, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Wednesday, April 19, 2023	Boardroom	5:00 p.m. (Budget Work Session)			
Tuesday, April 25, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, May 2, 2023	Boardroom	5:00 p.m. (Budget Work Session)			
Tuesday, May 9, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, May 23, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, June 13, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, July 11, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, August 8, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, September 12, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, September 26, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, October 10, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, October 24, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Wednesday, Nov. 15, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, November 28, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.
Tuesday, December 12, 2023	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.

Meeting Time

Regular Meeting

Tuesday, January 2, 2024	Boardroom	5:00 p.m. (Organizational Meeting)			
Tuesday, January 9, 2024	Boardroom	5:00 p.m.	6:00 p.m.	7:00 p.m.	7:30 p.m.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**O-4. Resolution; Adoption of Prince George County Holiday Schedule for 2023.** Mr. Brown made a motion, seconded by Mrs. Waymack to adopt the Prince George County Holiday Schedule for 2023 in conjunction with the State of Virginia.

O-4.

RESOLUTION; ADOPTION OF PRINCE GEORGE COUNTY HOLIDAY SCHEDULE FOR 2023

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, in conjunction with the State of Virginia, hereby adopts the following days as paid holidays for eligible full-time employees of Prince George County Government for Calendar year 2023.

New Year’s Holiday	January 2, 2023
Martin Luther King, Jr. Day	January 16, 2023
George Washington Day	February 20, 2023
Memorial Day	May 29, 2023
Juneteenth Day	June 19, 2023
Independence Day	July 4, 2023
Labor Day	September 4, 2023
Columbus Day	October 9, 2023
Election Day	November 7, 2023
Veterans Day	November 10, 2023
1/2 Day Before Thanksgiving	November 22, 2023
Thanksgiving Day	November 23, 2023
Day After Thanksgiving	November 24, 2023
½ Day Christmas Holiday	December 22, 2023
Christmas Holiday	December 25, 2023

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**O-5. Consideration of Appointments – Board, Commissions, Committees, Authorities:  
Resolution of Appointment(s):**

**A. Resolution; Appointment of Board of Supervisors Member to Crater District Planning Commission (One-Year Term).** Mr. Carmichael made a motion, seconded by Mr. Webb, to reappoint Mrs. Marlene Waymack. Roll was called on the motion.

O-5A.

RESOLUTION; APPOINTMENT OF BOARD OF SUPERVISORS MEMBER TO CRATER PLANNING DISTRICT COMMISSION (ONE-YEAR TERM)

WHEREAS, The term of Mrs. Marlene J. Waymack expired on December 31, 2022.

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, hereby reappoints Mrs. Marlene Waymack to serve as the Board of Supervisors representative to the Crater Planning District Commission for a term of one year beginning retroactively on January 1, 2023, and ending on December 31, 2023, or until a successor is appointed by the Board.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**B. Resolution; Appointment of Board of Supervisors Member to Metropolitan Planning Commission (One-Year Term).** Mr. Brown made a motion, seconded by Mr. Carmichael, to reappoint Mr. T.J. Webb. Roll was called on the motion. Mr. Webb abstained to refrain from voting for himself.

R-23-007

O-5B.

**RESOLUTION; APPOINTMENT OF BOARD MEMBER (ONE-YEAR TERM) – METROPOLITAN PLANNING ORGANIZATION COMMITTEE**

WHEREAS, The term of Mr. T. J. Webb expired on December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023 does hereby reappoint Mr. T. J. Webb to serve a one-year term on the Metropolitan Planning Organization Committee beginning January 1, 2023 and ending on December 31, 2023.

On roll call the vote was:

In favor: (4) Waymack, Hunter, Brown, Carmichael

Opposed: (0)

Absent: (1) Abstained

**C. Resolution; Appointment (One-Year Term) – Board of Supervisors Member to Virginia Gateway Region.** Mr. Carmichael made a motion, seconded by Mr. Brown, to reappoint Mr. Donald Hunter. Roll was called on the motion.

R-23-008

O-5C.

RESOLUTION; APPOINTMENT (ONE-YEAR TERM) – BOARD OF SUPERVISORS MEMBER TO VIRGINIA GATEWAY REGION

WHEREAS, the Articles of Incorporation of the Virginia Gateway Region (formerly “Appomattox Basin Industrial Development Corporation”) provide that participating localities may appoint a representative from the governing body for a term of one year; and

WHEREAS, The term of Mr. Donald Hunter expired on December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023 that it hereby appoints Mr. Donald Hunter as the representative from the governing body; and

BE IT FURTHER RESOLVED That this term shall commence on January 1, 2023 and end on December 31, 2023, or until appointment of a replacement by the Board.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**D. Resolution; Appointment (One-Year Term) – Local Emergency Planning Committee.** Mr. Webb made a motion, seconded by Mrs. Waymack, to reappoint Mr. Brown. Roll was called on the motion. Mr. Brown abstained to refrain from voting for himself.

R-23-009

O-5D.

RESOLUTION; APPOINTMENT; BOARD OF SUPERVISORS MEMBER TO LOCAL EMERGENCY PLANNING COMMITTEE.

WHEREAS, Prince George County established a Local Emergency Planning Committee (LEPC) also known as the Citizen Corps consistent with Federal Public Law 99-499, the Superfund Amendments and Reauthorization Act of 1986, under Title III, section 301. The name of this organization is the Prince George County Local Emergency Planning Committee and Citizen Corps, hereinafter referred to as the PGLEPC; and

WHEREAS, One of the membership requirements of the LEPC is a local elected official; and

WHEREAS, The term of Mr. Floyd M. Brown, Jr. expired on December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, hereby reappoints Mr. Floyd M. Brown, Jr. to serve as the Board of Supervisors representative to the Prince George County Local Emergency

Planning Committee and Citizen Corps for a term effective immediately at the pleasure of the Board.

On roll call the vote was:

In favor: (4) Waymack, Webb, Hunter, Carmichael

Opposed: (0)

Abstained: (1) Brown

Chairman Hunter called for a recess at 6:13 p.m. The meeting reconvened at 7:00 p.m. Chairman Hunter thanked the Board for having the confidence in him to elect him as Chairman for 2023 and he congratulated Vice-Chairman Webb for being elected as well. He thanked Mr. Carmichael for taking the duty at the beginning of the year and Mrs. Waymack for serving as Chair the previous year.

**Invocation.** Mrs. Waymack gave the Board's invocation.

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

**PUBLIC COMMENTS.** Chairman Hunter announced that anyone wishing to come before the Board may do so at this time. She noted that this was the time for unscheduled general public comments. Chairman Hunter opened the public comments at 7:01 p.m.

Mr. Pete Stith (4-H Airfield Center). Mr. Stith introduced Dr. Kathy Guindon to talk about what is coming up at the 4-H Airfield Center. He presented the Board with a small food gift and thanked the Board for the opportunity to come before them.

Dr. Kathy Guindon (4-H Airfield Center). Dr. Guindon has spent 27 years working with Florida Fish and Wildlife and she is now the Director of the Airfield. She hopes to bring rejuvenation and life back to the center. She was accompanied by Hermon Maclin, of the Extension Office to share with the Board some of the vision for the center. She stated that 4-H is a phenomenal program and they are looking forward to filling all of the bunks. They are planning reunions, weddings, big banquets and anything else people want to use the conference center for. Her goal in moving forward is to make the center a destination for environmental outdoor education. Mr. Maclin thanked the Board for their support and stated that he has high hopes for Dr. Guindon.

Mr. Larry Heidorn (1909 Chemin Road). Mr. Heidorn stated that pickleball is the fastest growing sport in America, however it seems Prince George County is trying to reduce the number of players they have. Two weeks ago the Parks and Recreation Department put a 15-year limit on pickleball participants. He stated that there has never been a player under the age of 15 unattended when they play pickleball. He does not understand this restriction and would like to see that decision reversed.

Mr. Cesar Gonzales (1109 Collingwood Drive). Mr. Gonzalez stated that he has lived where he is for four years. In this last quarter, he was charged for 45,000 gallons of water. He has talked to the Utilities Supervisor and the clerk in their office. They all tell him he has a leak. He stated

that they have not found a leak. He said that they offered to change his bill, but he would like to know what will happen in the future when it happens again. He would like to seek the truth in what is really happening.

There was no one else to speak and the public comments period was closed on 7:14 p.m.

**APPROVAL OF AGENDA.** Mr. Brown made a motion, seconded by Mrs. Waymack, to adopt the agenda as amended adding Item A-15 as a resolution to amend the Floodplain Ordinance. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Hunter, Webb, Waymack, Brown, 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. Corrected November 22, 2022 Regular Meeting Minutes.

R-23-010

C-2.

**RESOLUTION; COMMENDATION;  
ADMINISTRATIVE SUPPORT SPECIALIST III, LAURA L. CHAMBLISS;  
SERVICE TO PRINCE GEORGE COUNTY**

WHEREAS, Laura L. Chambliss was originally hired on August 1, 2004 as a Social Services Program Assistant; and

WHEREAS, Laura Chambliss was reclassified to the position of Social Services Office Associate I on December 16, 2007 and reclassified to Office Associate II on May 16, 2012; and was later promoted to the position of Administrative Support Specialist III on July 1, 2018 and remained in this capacity until she retired on January 1, 2023; and

WHEREAS, Mrs. Chambliss worked tirelessly in serving the families of Prince George County and in providing support to staff and the citizens; and

WHEREAS, Mrs. Chambliss assisted with community events such as Back to School Fair, Toddler Fair, and CARES; and

WHEREAS, Mrs. Chambliss served as a valuable member of the administrative team for the agency; and

WHEREAS, Mrs. Chambliss' commitment to clients and staff have earned the admiration and respect of the Prince George County Department of Social Services, her colleagues, and the citizens for her dedication and enthusiasm, professionalism and hard work; and

WHEREAS, Mrs. Chambliss demonstrated integrity throughout her career, continuously devoting her actions to the betterment of Prince George County; and

WHEREAS throughout her remarkable career in Public Service, spanning a combined total of more than 26 years, Laura Chambliss has served the citizens of Prince George County to the utmost of her ability for over 18 years of her career, demonstrating commitment, integrity, and devotion in a manner bespeaking the dedication of a true public servant. Mrs. Chambliss' institutional knowledge and administrative support will be sorely missed by the Department of Social Services, the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January 2023 does hereby commend Laura L. Chambliss for completion of more than 26 years of dedicated service in her profession and more than 18 years of this service to the County and its citizens; and

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

R-23-010A

C-3.

RESOLUTION; APPROPRIATION STATE LITTER CONTROL GRANT \$15,891.51

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize and appropriate the following increase of funds within the 2022-2023 Budget, such line items increased as follows, which monies shall be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>		<u>AMOUNT</u>
General Fund		
Expenditures:		
0100-04-102-0503-43327	Clean Community Day	\$15,930.50
Revenues:		
0100-20-601-8205-326019	State Litter Control Grant	\$15,930.50

R-23-010B

C-4.

RESOLUTION; 2023 FEE SCHEDULE FOR ANIMALS CONFINED AT THE ANIMAL SHELTER

WHEREAS, Code Section 6-149 authorizes the Board of Supervisors to approve the schedule of charges for animals confined at the animal shelter on an annual basis; and

WHEREAS, the 2023 Fee Schedule shall be:

Adoption Fee\*:

Dog - \$100

Cat - \$75

\*Fee includes spay/neuter; Rabies, Bordetella and Distemper shots

Owner Surrender Fee - \$30/per pet/litter

Pickup Fee:

1<sup>st</sup> offense in a calendar year - \$30 plus \$10/day til picked up

2<sup>nd</sup> offense in a calendar year - \$40 plus \$10/day til picked up

3<sup>rd</sup> offense in a calendar year - \$50 plus \$10/day til picked up

If an animal is brought into the shelter to be quarantined the charge would be \$10/day.

If an animal is brought into the shelter for cruelty impoundment the charge would be \$10/day

A 50% reduction in adoption fees will be given at events and for animals with medical/behavioral issues.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby approve the 2023 Fee Schedule for animals confined at the animal shelter.

R-23-010C

C-5.

RESOLUTION; CONVEYING RIGHT OF ENTRY TO COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC

WHEREAS, Comcast Cable Communications Management, LLC has requested the County's consent to a Right of Entry to the premises of 6450 Administration Drive, Prince George; and

WHEREAS, the Right of Entry will allow Comcast to install, operate and maintain fiber optic communication services to the Virginia Department of Health located at 6450 Administration Drive.

NOW, THEREFORE, BE IT RESOLVED, that the Prince George County Board of Supervisors approves the dedication of a Right of Entry to Comcast Cable Communications Management, LLC to install operate and maintain fiber optic communication services at 6450 Administration Drive.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **PRESENTATIONS**

**S-1. Resolution; Commendation; Laura Chambliss; Service to Prince George County.** Mrs. Waymack presented the commendation to Ms. Chambliss in the presence of her co-workers in Social Services.

**S-2. Christmas Decoration Winners: Best Front Door and Porch – Sharon Rickman; Best Decorated Business, Vigilant Self Storage; Best Decorated Church – Prince George Christian Church; Children’s Delight – Synan Family; Most Facebook Likes – Allison Pate; Tacky Holiday Fun – Eric Sawyer; Traditional Display – Claiborne and Betty Rhodes; Religious Display – Jason and Amelia Ruffin.** Mr. Keith Rotzoll, Director of Parks and Recreation, presented the awards to all of the winners.

**S-3. Christmas Card Contest Winner: Ryder Hallett.** Mr. Rotzoll presented the award to Ryder Hallett.

**S-4. Christmas Parade Winners: Best Decorated Float – Virginia Farm Bureau Insurance Company; Best Decorated Safety Vehicle – Prince George Sheriff’s Office; Best Overall Entry – Dance Kraze by Jennifer Andrews; Best Performance – Virginia Tae Kwon Do Institute LLC; Judges’ Choice – PGHS Majorettes from the 70’s; Most Entertaining – Art of Rhythm Dance Company; Most Spirited/Themed – PG Movers.** With the help of parade judges Betsy Drewry and Teresa Knott, Mr. Rotzoll presented the awards to all of the winners.

### **PUBLIC HEARINGS**

**P-1. Public Hearing; Ordinance to Amend § 2-1 of “The Code of the County of Prince George, Virginia”, 2005, as Amended to Make Changes to the Background Check and Fingerprinting Requirements for Persons Offered Conditional Employment and For Volunteers.** Mr. Dan Whitten, County Attorney, stated that Section 2-1 of the Code of the County of Prince George is enacted to comply with provisions of the Code of Virginia Section 15.2-1503.1. The amendment will bring the County Code in compliance with Virginia Code Sections 15.2-1505.1, 15.2-1505.3 and 19.2-389(A)7 allowing the access of criminal history record information of any person conditionally offered employment or wishing to volunteer. All persons conditionally offered employment or who wish to volunteer must be fingerprinted and provide personal descriptive information for purposes of obtaining criminal history information. Human Resources will now be responsible for transmitting information to the Central Criminal Records Exchange and FBI. All results will be returned to the Human Resources Department. The Human Resources Director will determine if the information contained in the record directly

relates to the position, compatible with the nature of the employment or volunteering, and whether it disqualifies the person from employment or volunteering. The amendment will list the considerations to be followed. Chairman Hunter opened the public hearing at 7:38 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 an Ordinance regarding background check and fingerprinting requirements for persons offered conditional employment and for volunteers. Roll was called on the motion.

O-23-01

P-1.

ORDINANCE TO AMEND § 2-1 OF “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED TO MAKE CHANGES TO THE BACKGROUND CHECK AND FINGERPRINTING REQUIREMENTS FOR PERSONS OFFERED CONDITIONAL EMPLOYMENT AND FOR VOLUNTEERS

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

- (1) *That § 2-1 of The Code of the County of Prince George, Virginia, 2005, as amended, is amended as follows:*

CHAPTER 2 ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-1. Employment, ~~licensing~~ and volunteer service; background check.

- (a) This section is enacted pursuant to comply with the provisions of the Code of Virginia, § 15.2-1503.1, 15.2-1505.1, 15.2-1505.3 and 19.2-389(A) 7 to be able to access criminal history record information of any person conditionally offered county employment in order to determine whether the past criminal conduct of such persons would be compatible with the nature of such employment. Further, the provisions of this section are intended to be in addition to, and not in derogation of, all other federal and state statutes providing for access to criminal history record information concerning applicants for, and persons offered, county employment. In addition, this section is enacted to regulate employment by the county, a prospective licensee for any categories of license is required to submit to fingerprinting and volunteer service.
- (b) All persons conditionally offered employment –An applicant, licensee or volunteers seeking to engage in employment or volunteer service shall submit to fingerprinting and provide personal descriptive information to be forwarded to the Central Criminal Records Exchange and the Federal Bureau of Investigation for the purpose of obtaining criminal history record information. All offers of employment or volunteering shall be conditioned upon the person, offered such employment or the opportunity to volunteer, submitting to fingerprinting and providing personal descriptive information necessary to do the background check. Failure of the person to submit to fingerprinting and to provide personal descriptive information shall disqualify the person from employment in such position or from serving as a

volunteer. if required, two sets of his fingerprints taken by the county police department to the Central Criminal Records Exchange in Richmond, Virginia, along with the appropriate fees.

- (c) Upon receipt of the fingerprints and the appropriate fees, the human resources department county police department will transmit both sets of the fingerprints and appropriate fees (unless a satisfactory billing arrangement has been entered into between the police department and the Central Criminal Records Exchange) personal descriptive information through to the Central Criminal Records Exchange. The Central Criminal Records Exchange will compare the subject's fingerprints against its criminal file and, if no disqualifying conduct is found therein, submit the fingerprints to the Federal Bureau of Investigation for a comparison with nationwide records. The results of the Federal Bureau of Investigation will be returned to the Central Criminal Records Exchange, which will disseminate the state and national results to the police department human resources department.
- (d) ~~The county police department shall disseminate the results of the criminal background check to the county for fitness determination.~~
- (d) ~~In rendering a fitness determination, the county will decide whether the record subject has been convicted of or is under pending indictment for:~~
- (1) ~~A crime which bears upon his ability of fitness to serve in that capacity; or~~
  - (2) ~~Any felony or a misdemeanor which involved force or threat of force, controlled substances, was a sex related offense, or a crime involving moral turpitude; or~~
  - (3) ~~Has been the subject of a founded child abuse or neglect complaint~~

Upon receipt of a report from the Central Criminal Records Exchange concerning a person either conditionally offered employment or to volunteer that indicates that the person has a criminal history record, the human resources director shall determine whether the conviction contained in the record directly relates to the authorized position, whether the past criminal conduct contained in the record is compatible with the nature of the employment or volunteering in the authorized position, and whether such conviction disqualifies the person from employment or volunteering in that authorized position. In determining whether a criminal conviction directly relates to the position, the following shall be considered:

- (1) The nature and seriousness of the crime;
- (2) The relationship of the crime to the work to be performed in the position applied for;
- (3) The extent to which the position applied for might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved;

- (4) **The relationship of the crime to the ability, capacity or fitness required to perform the duties and discharge the responsibilities of the position being sought;**
- (5) **The nature and extent of the person's past criminal activity;**
- (6) **The age of the person at the time of the commission of the crime;**
- (7) **The amount of time that has elapsed since the person's last involvement in the commission of a crime;**
- (8) **The conduct and work activity of the person before and after the criminal activity; and**
- (9) **Evidence of the person's rehabilitation or rehabilitative efforts while incarcerated or following release.**

~~(e) Any such person will be presumptively disqualified and any such person who is presumptively disqualified will only be permitted to engage in employment or volunteer service if authorized by the county administrator and county attorney.~~

~~(e)~~(f) A record subject denied employment, licensure or service as a volunteer shall be notified that information from the Central Criminal Records Exchange contributed to such denial. Should the record subject seek to amend or correct his record, he must contact the Central Criminal Records Exchange for a Virginia record or the Federal Bureau of Investigation for records from other jurisdictions maintained in its file.

(Ord. No. O-04-005, § 2-16, 4-13-2004)

2) *That the Ordinance shall be effective immediately.*

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **SUPERVISORS COMMENTS**

Mrs. Waymack wished everyone a safe, happy, well and prosperous new year.

Mr. Hunter stated that he hopes that he fulfills the Board's expectations in 2023 as Chairman.

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

Mr. Jeff Stoke, Deputy County Administrator, stated that on Monday, January 16, all County Offices will be closed in observance of the Martin Luther King, Jr. Holiday.

### **REPORTS**

**Employee Reclassification PT to FT Request for Commonwealth's Attorney Office** – Ms. Susan Fierro, Commonwealth's Attorney, stated that her office is experiencing a vacancy in its part-time Assistant Commonwealth's Attorney position. That position was held for 15 years by Ms. Hamilton, who recently left the position to focus on her private practice. Ms. Fierro is requesting that the Board consider making this part-time position a full-time position for the next

fiscal year as well as back filling it to finish out this fiscal year. The increase in costs for a full-year is \$80,863. To back-fill, it would be an additional \$25,806. The person in this position handled some of their most complex cases, including the domestic violence docket, and crimes committed against children. Many of these cases went to jury trial. Right now the position is advertised as a part-time position. They currently have five applications, but she is not sure any of them would be viable candidates at this time. Their work has increased substantially since July, 2021 since the General Assembly change regarding optional jury trials. It has created a large increase in jury trials. In 2019, they had four jury trials. In 2022, they had 34 jury trials. A large amount of time is dedicated in preparing for these trials, including pre-trial motions, cross-examination of witnesses, and research. The ceasefire prosecutor is a shared position with Hopewell and it will be limited to gun violence and gun crime and they will not be any assistance to cases regarding regular domestic violence and children. Mr. Webb asked if the ceasefire prosecutor will have the option to change the venue to assure no bias. Ms. Fierro stated that she will have that option. Mr. Carmichael asked if the request for this full-time position is salary or will there be overtime. Ms. Fierro stated that all of the attorneys are salary and are not compensated for overtime. The Board agreed by consensus to have this request placed on the January 24 agenda.

### **ORDER OF BUSINESS**

**A-1. Draft Minutes – December 13, 2022 Regular Meeting.** Mr. Brown made a motion, seconded by Mr. Webb, to approve the December 13 minutes as presented. Roll was called on the motion. Mr. Carmichael abstained because he was absent at that meeting.

On roll call the vote was:

In favor: (4) Hunter, Webb, Waymack, Brown

Opposed: (0)

Abstained: (1) Carmichael

**A-2. Draft Minutes – December 20, 2022 Special Meeting.** Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the December 20 minutes as presented. Roll was called on the motion. Mr. Brown abstained because he was absent at that meeting.

On roll call the vote was:

In favor: (4) Hunter, Webb, Waymack, Carmichael

Opposed: (0)

Abstained: (1) Brown

**A-3. Resolution; Authority to Advertise an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §§ 82-261 and 82-536 to Authorize the Board of Supervisors to Give a Refund to Property Owners for Unutilized Water and Wastewater Capacity after the Connection Fee is Paid.** Mr. Dan Whitten, County Attorney, stated that Sections 82-261 and 82-536 state that refunds shall not be made for any unutilized water and wastewater capacity after connection fees have been credited to the property owner’s account when connecting new meters. The amendment to Sections 82-261 and 82-536 will allow the property owner that paid the connection fees a refund for unutilized water and wastewater capacity if the Board of Supervisors authorizes the refund by a resolution. Mr.

Carmichael made a motion, seconded by Mrs. Waymack to approve the advertisement of an Ordinance for a public hearing on February 14, 2023 authorizing the Board of Supervisors to give a refund for unutilized water and wastewater capacity to property owners that paid the original connection fee after the connection fee is paid. Roll was called on the motion.

R-23-011

A-3.

RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,”  
AS AMENDED, BY AMENDING §§ 82-261 AND 82-536 TO AUTHORIZE  
THE BOARD OF SUPERVISORS TO GIVE A REFUND TO PROPERTY OWNERS FOR  
UNUTILIZED WATER AND WASTEWATER CAPACITY AFTER THE CONNECTION  
FEE IS PAID

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the advertisement of a public hearing on February 14, 2023 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §§ 82-261 and 82-536 to authorize the Board of Supervisors to give a refund for unutilized water and wastewater capacity to property owners that paid the original connection fee after the connection fee is paid.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-4. Resolution; Approval of Price List for Real Estate Assessor’s Office. (Dan Whitten, County Attorney).** Mr. Dan Whitten, County Attorney, stated that the Assessor’s Office currently does not charge for property record cards, information, full database or other special requests. Other localities charge for this information. After comparing other localities’ price lists, the following is a list of proposed charges: Property Record \$2.00 (free to property owners); Property Record Information \$0.20/record (electronic database extraction); Full Database \$2,000; Special Requests \$63/hour (minimum one hour). Mr. Carmichael asked when this \$63 per hour kicks in for special requests. Mr. Brian Gordineer, Real Estate Assessor, stated that the per hour rate would be for special requests only. For example, research information for a business that wants to do a mass mailing for advertisement. Mr. Webb made a motion, seconded by Mr. Brown, to approve the resolution setting the Price List for the Assessor’s Office as presented. Roll was called on the motion.

R-23-012

A-4.

RESOLUTION; PRICE LIST FOR  
REAL ESTATE ASSESSOR’S OFFICE

WHEREAS, other localities charge for documents regarding property from the Real Estate Assessor’s office; and

WHEREAS, the Real Estate Assessor’s office would like to start charging; and

WHEREAS, the Price List shall be:

Property Record Cards	\$2.00 (free to property owner)
Property Record Information	\$0.20/record (electronic data base extraction)
Full Database	\$2,000
Special Requests	\$63/hour (minimum one hour)

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby approve the Price List for the Real Estate Assessor’s Office.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-5. Resolution; Authority to Advertise an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Enacting §74-200 to Clarify that Any Organization that Claims Exemption by Classification for a Real Estate Parcel Shall Make the Request on Forms Both Supplied and Reviewed by the County Assessor.** Mr. Dan Whitten, County Attorney stated that enacting Section 74-200 will allow organizations that claim exemption by classification for a real estate parcel pursuant to Article X, Section 6(a)(1) through (4) of the Virginia Constitution, or pursuant to Code of Virginia § 58.1-3606, or pursuant to Article 3 of Chapter 36 of Title 58.1 of the Code of Virginia (Code of Virginia § 58.1-3609 et seq.) to make the request on forms supplied and reviewed by the County Assessor. If approved, the exemption will take effect on the date of the application. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to approve the advertisement of an Ordinance for a public hearing on February 14, 2023 clarifying that any organization that claims exemption by classification for a real estate parcel shall make the request on forms both supplied and reviewed by the County Assessor. Roll was called on the motion.

R-23-013

A-5.

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,” AS AMENDED, BY ENACTING §74-200 TO CLARIFY THAT ANY ORGANIZATION THAT CLAIMS EXEMPTION BY CLASSIFICATION**

FOR A REAL ESTATE PARCEL SHALL MAKE THE REQUEST ON FORMS BOTH  
SUPPLIED AND REVIEWED BY THE COUNTY ASSESSOR

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the advertisement of a public hearing on February 14, 2023 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by enacting §74-200 to clarify that any organization that claims exemption by classification for a real estate parcel shall make the request on forms both supplied and reviewed by the County Assessor.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-6. Resolution; Authority to Advertise an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Enacting §74-199 to Authorize the Abatement of Tax Levies on Buildings which are Razed, Destroyed or Damaged.** Mr. Dan Whitten, County Attorney stated that enacting Section 74-199 will allow the abatement of tax levies on buildings razed, destroyed or damaged by a fortuitous happening beyond the control of the owner. The value of the building will have to decrease by more than \$500. The destruction of the building will have to render the building unfit for use and occupancy for 30 days or more within a fiscal year. The owner will have to apply for such abatement within 6 months of the destruction. The tax will be pro-rated according to the portion of the year the building was fit for use. Mr. Webb made a motion, seconded by Mr. Brown, to approve the advertisement of an Ordinance for a public hearing on February 14, 2023 authorizing abatement of tax levies on buildings which are razed, destroyed or damaged.

R-23-014

A-6.

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND “THE CODE  
OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,”  
AS AMENDED, BY ENACTING §74-199 TO AUTHORIZE  
THE ABATEMENT OF TAX LEVIES ON BUILDINGS WHICH ARE  
RAZED, DESTROYED OR DAMAGED**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the advertisement of a public hearing on February 14, 2023 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by enacting §74-199 to authorize the abatement of tax levies on buildings which are razed, destroyed or damaged.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-7. Resolution; Authority to Advertise an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §74-198 to Change the Dates Related to the Assessment of New Buildings Substantially Completed.** Mr. Dan Whitten, County Attorney, stated that Section 74-198 states buildings substantially completed or fit for use and occupancy prior to November 1 of the year of completion shall be assessed by the assessor. This date for assessments is based on a calendar tax year. Prince George County has adopted a fiscal tax year. Virginia Code Section 58.1-3010 provides that dates in the Code relative to taxes should be interpreted according to the fiscal tax year. The amendment to Section 74-198 will adjust dates to the fiscal tax year. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the advertisement of an Ordinance for a public hearing on February 14, 2023 changing dates related to the assessment of new buildings substantially completed.

R-23-015

A-7.

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,” AS AMENDED, BY AMENDING §74-198 TO CHANGE THE DATES RELATED TO THE ASSESSMENT OF NEW BUILDINGS SUBSTANTIALLY COMPLETED**

NOW, THEREFORE, BE IT RESOLVED, that the Board Of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the advertisement of a public hearing on February 14, 2023 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §74-198 to change the dates related to the assessment of new buildings substantially completed.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-8. Resolution; Authority to Advertise an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §74-265 to Clarify that Simple Interest Shall Be Added to Rollback Taxes at the Rate Applicable to Delinquent Taxes in the County.** Mr. Dan Whitten, County Attorney, stated that Section 74-265 states that a roll-back tax is imposed upon any property as to which the use changes to a non-qualifying use or the zoning thereof is changed to a more intensive use at the request of the owner. The amendment to Section 74-265 will state the roll-back tax shall be equal to the sum of the deferred tax for each of the five most recent complete tax years including simple interest on such roll-back tax at the rate applicable to delinquent taxes in the County for each of the tax years. Mr. Brown made a motion, seconded by Mr. Carmichael, to approve the advertisement of an

Ordinance for a public hearing on February 28, 2023 clarifying simple interest added to roll-back taxes at the rate applicable to delinquent taxes in the County.

R-23-016

A-8.

RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,” AS AMENDED, BY AMENDING §74-265 TO CLARIFY THAT SIMPLE INTEREST SHALL BE ADDED TO ROLLBACK TAXES AT THE RATE APPLICABLE TO DELINQUENT TAXES IN THE COUNTY

NOW, THEREFORE, BE IT RESOLVED, that the Board Of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the advertisement of a public hearing on February 28, 2023 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §74-265 to clarify that simple interest shall be added to roll-back taxes, at the rate applicable to delinquent taxes in the County.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-9. Resolution: Award of Contract for Portable TP125 110kW Generator (Bay Power Solutions \$97,167).** Mr. Dean Simmons, General Services Director, stated that the Board of Supervisors approved an award of contract to L3Harris for a replacement Public Safety Radio System on November 26, 2019. The County engaged in Series 2017 and 2018 Borrowing for Radio System Replacement and related consulting services. Staff briefed the Board of available funds remaining in the Radio System Project budget / borrowings during the November 22, 2022 work session. Staff recommends a number of purchases that enhance the Radio System project and / or public safety operations. The Radio Project working group recommends the purchase of a portable generator that can be used at any of the tower locations and the ECC in the event of an on-site generator failure. The Board has been provided a quote from Bay Power Solutions for \$97,167.00, utilizing a VASCUPP cooperative contract #19-ODU-44-CCC-2 for the Generator and trailer. The generator is a TP125 110kW model. Sufficient funds are available to purchase the generator and trailer as part of the radio system project. Mr. Webb asked if the generator would be set up to use DEF. Mr. Simmons stated that it will have DEF. Mr. Webb asked what the plan was for filling that. He stated that they have portable tanks available and they get DEF by 55-gallon drums because they use it for the fire trucks. Mr. Webb asked who keeps the maintenance records on these generators. Mr. Simmons stated that his department keeps them and they do have a way of capturing the hours going forward when hour meters are exchanged out. Mr. Webb stated that will be needed for warranty purposes. Mr. Webb made a motion, seconded by Mrs. Waymack, to authorize the County Administrator to execute a contract (issue purchase order) with Bay Power Solutions for \$97,167.

R-23-017

A-9.

**RESOLUTION; AWARD OF CONTRACT (PORTABLE GENERATOR \$97,167.00)**

WHEREAS, The purchase of a portable generator is recommended by the Public Safety Radio project working group using Public Safety Radio System replacement borrowings, Bond Series 2017 and 2018, to provide power in the event of an on-site generator failure; and

WHEREAS, A cooperative VASCUPP contract #19-ODU-44-CCC-2 is available for County use to purchase a portable TP125 110kW generator and trailer from Bay Power Solutions for \$97,167.00; and

WHEREAS, Staff is requesting authorization for the County Administrator to enter into a contract with Bay Power Solutions for \$97,167.00 to move forward with the purchase of a portable TP125 110kW generator and trailer for public safety use.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 10<sup>h</sup> day of January, 2023, hereby awards the contract for the purchase of a TP125 110kW generator and trailer to Bay Power Solutions for \$97,167.00 and authorizes the County Administrator to execute a contract with Bay Power Solutions.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-10. Resolution; Award of Contract and Appropriation (\$35,594 CII Replacement of Two Stack / Flues in County Administration Building).** Mr. Dean Simmons, General Services Director, stated that at the November 22, 2022 Board meeting, the Board approved the replacement of the aging boilers in the Administration building for a total of \$87,614.00, and at that time the boilers were ordered for replacement. The contractor replacing the boilers came out to review the project and insure they had all additional materials needed to complete this project. Upon inspection, they discovered that the existing Stack/flue was not up to code and therefore would need replacement, during the new boiler installation. They have provided us with a quote of additional cost related to the stack/flue replacement of \$35,594. This repair is required to install new boilers. Cii provided pricing under a cooperative contract with Chesterfield County (contract #ADMN20000206). The total pricing is \$35,594.00. This pricing was provided on December 27, 2022 and is good for only 30 days. This replacement is not budgeted, nor is it included on a CIP listing. This is required to replace the boilers and receive warranty with the new units. The recommended funding source is General Fund, Fund Balance. Mr. Webb stated that we have to have it. Mrs. Waymack made a motion, seconded by Mr. Brown, to approve the award of contract as presented. Roll was called on the motion.

R-23-018

A-10.

**RESOLUTION; AWARD OF CONTRACT AND APPROPRIATION  
(\$35,594 CII REPLACEMENT OF TWO STACK / FLUES IN COUNTY  
ADMINISTRATION BUILDING)**

WHEREAS, The Director of General Services has determined to make the heating system in the County Administration building fully functional, two stack / flues for boilers 1 and 2 must be replaced to complete boiler replacement approved by the Prince George County Board of Supervisors on November 22, 2022; and

WHEREAS, The Director of General Services received pricing from Cii through a cooperative Chesterfield County contract # ADMN2000206 in the amount of \$35,594 which includes a one year parts warranty; and

WHEREAS, staff is recommending the purchase and installation of two stacks / flues for boilers 1 and 2 with a one year parts warranty from Cii for \$35,594; and

WHEREAS funding is not currently available in the adopted FY2023 County operating budget, an appropriation from General Fund, Fund balance is recommended as the funding source because the project is of an urgent nature and waiting to include this replacement in a Capital Improvement plan for future borrowing is not recommended; and

WHEREAS, Staff is requesting authorization for the County Administrator to enter into a contract with Cii in the amount of \$35,594 and approval of an appropriation from General Fund, Fund Balance.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, hereby awards the two Lochinvar Boilers and Air Separator replacement contract to Cii in the amount of \$35,594 and authorizes the County Administrator to execute a contract with Cii.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the following increase of funds within the 2022-2023 Budget, such line items increased as follows, which monies to be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>GENERAL FUND (0100)</u>	
<u>Expenditure:</u>	
0100-09-401-0917-49172      Gen Fund transfer to CIP Fund	\$35,594
<u>Revenue:</u>	
0100-40-900-8208-399999      General Fund, Fund Balance	\$35,594

CAPITAL IMPROVEMENT FUND (0311)

Expenditure:

0311-01-002-3227-48120 County Admin two stacks/ flues for boilers \$35,594

Revenue:

0311-90-901-8207-399100 Transfer from General Fund \$35,594

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-11. Resolution: Award of Contract Fire & EMS ESO Software (\$57,708.32).** Chief Paul Beamon stated that the Board of Supervisors approved an award of contract to L3Harris for a replacement Public Safety Radio System on November 26, 2019. The County engaged in Series 2017 and 2018 Borrowing for Radio System Replacement and related consulting services. Staff briefed the Board of available funds remaining in the Radio System Project budget / borrowings during the November 22, 2022 work session. Staff recommends a number of purchases that enhance the Radio System project and / or public safety operations. The Radio Project working group recommends the purchase of integrated Fire & EMS software from ESO. The Board was provided with a quote from ESO for \$57,708.32, utilizing a cooperative contract through the Western Virginia EMS Council for the software modules specified on the quote. Annual recurring subscription costs will be included in the operating FY2024 budget and in future budgets (estimated at \$52,309). Sufficient funds are available to purchase year one of software subscription costs (initial, one-time costs and year-1). This award of contract will allow the County to move forward with purchasing an integrated software solution that will enhance Fire and EMS operations and related reporting. By moving to the ESO reporting platform, PGFEMS will consolidate all career and volunteer members under one system and provide the same reporting system implemented and supported by the Commonwealth. In addition, PGFEMS will improve data collection and analysis, enhance decision-making with access to accurate and up-to-date data, increase efficiency, create better communication and collaboration, and enhance accountability. Mr. Carmichael asked what the radio budget balance is following this request. Ms. Drewry stated \$844,000. Chief Beamon added that this would align us with the State EMS database. The State Office has informed him that the first initial computers and tablets would all be free if they go to that system. Mr. Webb stated that if his memory serves him correctly, the State made it clear that if we do not have the prerequisites, they will not allow you to jump ahead and take someone else's spot in monies for training. Mr. Carmichael made a motion, seconded by Mr. Webb, to authorize the County Administrator to execute a contract (issue purchase order) with ESO for \$57,708.32. Roll was called on the motion.

R-23-019

A-11.

RESOLUTION; AWARD OF CONTRACT (FIRE & EMS ESO SOFTWARE \$57,708.32)

WHEREAS, The purchase of integrated Fire/EMS ESO Software is recommended by the Public Safety Radio project working group using Public Safety Radio System replacement borrowings, Bond Series 2017 and 2018, to enhance reporting of Fire/EMS activities; and

WHEREAS, A cooperative contract through the Western Virginia EMS Council is available for County use to purchase the software from ESO for \$57,708.32; and

WHEREAS, Staff is requesting authorization for the County Administrator to enter into a contract with ESO not to exceed \$57,708.32 to move forward with the purchase of integrated FEMS Software.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 10<sup>h</sup> day of January, 2023, hereby awards the contract for integrated Fire EMS Software to ESO for \$57,708.32 and authorizes the County Administrator to execute a contract with ESO not to exceed \$57,708.32.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-12. Resolution: Authorize the FIRE/EMS Department to Complete and Submit a Grant Application to FEMA for SAFER Staffing.** 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 "Staffing for Fire and Emergency Response (SAFER) Grant Program" (hereafter referred to as the SAFER Program). PGFEMS is seeking authorization to apply for a total of 9 positions under the SAFER Staffing Grant of a three (3) year total of \$2,424,160.00 (\$808,053.00 per year) through FEMA, due February 4, 2023. During the three (3) year life, the SAFER Grant is funded 100% and covers all salaries and benefits with no cost share or match by the County. The SAFER Grant does not pay for the built-in overtime for the firefighters resulting an expense to the County of \$53,596 per year. At the end of the three (3) year grant period, the SAFER grant discontinues the funding, and the County would then pick up the full financing of the positions estimated at \$861,649 per year. The PGFEMS career staffing model currently consists of two (2) paid providers located at four (4) stations. The firefighters at these stations operate in a dual function role. Dual function is used when the two (2) firefighters are used to staff more than one fire vehicle. The firefighter will staff the ambulance when a request for medical assistance is made, thereby leaving the fire engine unstaffed and unable to answer calls. When a request for a fire engine is made, the team will take the fire engine and leave the ambulance without any certified members to respond to calls such as chest pain. In a recent review, we found that the career-staffed fire engines are left unstaffed for approximately 142 days out of the year. Our heavy volume stations are currently Station eight (8) and station five (5). The two of these stations account for a total of 85 full days (2,040 hours) of unstaffed fire engines that result in no coverage or delayed responses to emergency calls in those areas. With

nine (9) additional career members, we would place the additional members at two of the busiest stations. Mr. Webb stated that in eight years this County will have a larger population than the town of Charlottesville. If we do not plan for it, we will be in the same boat that we are in with utilities. We have been fortunate to get a lot of money for utilities from the pandemic. He stated that the County is in a good state financially, which may not always get a grant for us. The volunteers do a great job, but we need all of the help we can get. Mr. Webb asked that if we are lucky enough to get this grant, how long will it take to train them and become fully functional. Chief Beamon stated that it takes a 16-week training program regardless of the experience.

R-23-020

A-12.

**AUTHORIZE THE FIRE/EMS DEPARTMENT TO COMPLETE AND SUBMIT A GRANT APPLICATION TO FEMA FOR SAFER STAFFING.**

WHEREAS, the Fire/EMS Department is requesting approval of the Prince George County Board of Supervisors to apply for a SAFER Staffing grant of \$2,424,160.00 (\$808,053 per year) through FEMA, due February 4, 2023; and

WHEREAS, the application totals \$2,424,160.00, for a three (3) year grant period, with no cost sharing from the county in years 1, 2, or year 3. If grant is awarded, after year 3 the County will incur the financial responsibility of the salary and benefits for nine (9) additional firefighter/medics in the amount of \$861,649.00 per year; and

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the submission of a grant application to FEMA for \$2,424,160.00, which requires no local match or cost sharing in years 1, 2, or year 3, to add nine (9) firefighter/medic positions with the exception of the built in overtime that is not covered by the Grant in the amount of \$53,596.00 each year. The total County fiscal responsibility over the three years is \$160,788.00 which will require an additional general fund appropriation upon award (Year 1 \$53,596; Year 2 \$53,596; Year 3 \$53,596). The total County fiscal responsibility after the three-year grant period (if awarded) is \$861,649.00 each year.

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, Webb, Waymack, Brown, Carmichael

Opposed: (0)

Absent: (0)

**A-13. Resolution; Appropriation of DCJS Operation Ceasefire Grant Funds (\$62,499 and Change to FY2022-2023 Position Chart.** Ms. Betsy Drewry, Deputy County Administrator, Finance, stated that the Commonwealth's Attorney received Board permission to apply for a Virginia Department of Criminal Justice Services (DCJS) Operation Ceasefire grant on

November 9, 2022. The grant was awarded by DCJS on December 15, 2022, totals \$249,996.00, and is for a two-year period of January 1, 2023 – December 31, 2024. The grant is not reflected in the FY2023 adopted budget, and an appropriation of funds for the period 1/1/2023 – 6/30/2023 (1/4 of the award of \$62,499) is needed. Additionally, a position control chart change is needed to reflect add the new Assistant Commonwealth’s Attorney (regional prosecutor). The regional prosecutor will focus on the prosecution, mitigation, and prevention of firearm crimes and gun violence in Prince George County and the City of Hopewell. Prince George County will be the fiscal agent for the grant and the employee will be housed in the Prince George Commonwealth’s Attorney’s Office. There is no required local match, but in-kind support (facility and supplies) will be provided for this position. Mr. Webb asked if the position is fiscally shared equally between the two localities. Ms. Drewry stated that it is 100% funded by the grant. Mr. Carmichael made a motion, seconded by Mrs. Waymack, to approve the appropriation of Operation Ceasefire Grant Funds to the FY2023 Budget (\$62,499; one-fourth of total two-year award) and the revision to the Position Control Chart. Roll was called on the motion.

R-23-021

A-13.

**RESOLUTION; APPROPRIATION OF DCJS OPERATION CEASEFIRE GRANT FUNDS (\$62,499) AND CHANGE TO FY 2022-2023 POSITION CHART WITH THE FOLLOWING CHANGES**

- Add Grant-Funded Assistant Commonwealth’s Attorney shared with the City of Hopewell - [General Fund budget; Office of the Commonwealth’s Attorney 0204]

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023 hereby approves the requested changes to the FY 2022-2023 Position Chart and that no changes be made to the chart without Board approval regardless of what other County policies may state.

BE IT FURTHER RESOLVED That the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby authorize the following amendment / transfers among accounts within the 2022-2023 Budget, such line items increased and changed as follows, which monies to be expended for purposes authorized and approved by the Board of Supervisors of the County of Prince George;

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<b>Budget Amendment:</b>	
<i>General Fund</i>	
<i>Revenues Increase:</i>	
0100-20-601-8203-324107                      Operation Ceasefire Grant	\$62,499.00

*Expenditure – Increase (Decrease):*

0100-02-020-0207-41100	Operation Ceasefire Salaries	\$ 45,030.00
0100-02-020-0207-42100	Operation Ceasefire FICA SS/Med	\$ 3,445.00
0100-02-020-0207-42210	Operation Ceasefire VRS Retirement	\$ 7,403.00
0100-02-020-0207-42300	Operation Ceasefire Health Ins.	\$ 5,775.00
0100-02-020-0207-42400	Operation Ceasefire Group Life Ins.	\$ 604.00
0100-02-020-0207-42400	Operation Ceasefire Disability Ins.	\$ 238.00
0100-02-020-0207-42700	Operation Ceasefire Worker's Comp	\$ 4.00
	<b>TOTAL</b>	<b>\$62,499.00</b>

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-14. Resolution: Authority to Advertise Public Hearing to Approve New Polling Locations for the Rives and Jefferson Park Precincts.** Mr. Dan Whitten, County Attorney, stated that Walton Elementary School is the current polling location for the Rives (104) Precinct. Walton Elementary School is scheduled to close in February, 2023 and move to the new Middle Road Elementary School. Faith Baptist Church on Middle Road is the current polling location for the Jefferson Park (205) Precinct. There are concerns about accessibility from the parking lot to the rear basement entrance. You have to walk down a steep hill which could be dangerous in inclement weather. Also, there are ADA concerns since there is limited handicap parking by the rear entrance. The Board of Elections and Registrar's office has been able to secure new polling locations for the Rives and Jefferson Park Precincts. Rives Precinct polling location will be Sacred Heart Catholic Church at 9300 Community Lane, located on Route 460, County Drive. Jefferson Park Precinct polling location will be the new Middle Road Elementary School, 5400 Middle Road. To make these changes, the Board will need to amend County Code § 30-62 to designate new polling locations. The Registrar's office will mail letters to the public advising them of the new polling locations. Mr. Webb made a motion, seconded by Mr. Brown, to approve the advertisement of a public hearing on February 28, 2023 to approve the new polling locations for the Rives and Jefferson Park Precincts. Roll was called on the motion.

R-23-022

A-14.

**RESOLUTION: AUTHORITY TO ADVERTISE PUBLIC HEARING  
TO APPROVE NEW POLLING LOCATIONS FOR THE  
RIVES AND JEFFERSON PARK PRECINCTS**

NOW, THEREFORE, BE IT RESOLVED that the Prince George County Board of Supervisors this 10<sup>th</sup> day of January, 2023, does hereby authorize the advertisement of a public hearing on February 28, 2023, to approve new polling locations for Rives and Jefferson Park Precincts.

On roll call the vote was:

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

**A-15. Resolution to Amend the Floodplain Ordinance to Include a Footnote in Sections 90-709 and 90-723 Referencing the Date Change.** Mr. Dan Whitten, County Attorney, stated that the Board of Supervisors passed the Floodplain Ordinance on December 13, 2022. Section 90-709 – Applicability and Section 90-723 – Description of special flood hazard districts, state that the Flood Insurance Rate Map is effective January 12, 2023. The Virginia Department of Conservation and Recreation provided an incorrect date. The correct date is February 9, 2023. A footnote has been added to Sections 90-709 and 90-723 explaining the changing of the date from January 12, 2023 to February 9, 2023. Mrs. Waymack made a motion, seconded by Mr. Carmichael, to approve the resolution adopting the amended Floodplain Ordinance with a footnote in Sections 90-709 and 90-723 referencing the date change. Roll was called on the motion.

R-23-023

A-15.

**RESOLUTION TO AMEND THE FLOODPLAIN ORDINANCE TO  
INCLUDE A FOOTNOTE IN SECTIONS 90-709 AND 90-723  
REFERENCING THE DATE CHANGE**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince George this 10<sup>th</sup> day of January, 2023, does hereby adopt the attached amended Floodplain Ordinance to include a footnote in Sections 90-709 and 90-723 referencing the date change.

On roll call the vote was:  
In favor: (5) Hunter, Webb, Waymack, Brown, Carmichael  
Opposed: (0)  
Absent: (0)

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

On roll call the vote was:  
In favor: (5) Hunter, Webb, Waymack, Brown, Carmichael  
Opposed: (0)  
Absent: (0)

The meeting adjourned at 8:48 p.m.

[Draft Minutes prepared January 13, 2023 for consideration on January 24, 2023; adopted by unanimous vote.]

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Donald R. Hunter  
Chairman, Board of Supervisors

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Jeffrey D. Stoke  
County Administrator

DRAFT