

AGENDA

Board of Supervisors
County of Prince George, Virginia
Regular Meeting: November 9, 2016
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

Regular Meeting

**Business Meeting
7:00 p.m.**

***Public Hearings Will Be Heard at 7:30 p.m.**

CALL TO ORDER

Roll Call

INVOCATION

PLEDGE OF ALLEGIANCE TO U.S. FLAG

PUBLIC COMMENTS

At this time, members of the audience may address the Board on any item on tonight's agenda which is not scheduled for a Public Hearing or any non-agenda item related to County operations. The Board does not generally respond to questions or statements made during public comment. Speakers will not be allowed to engage in personal attacks, use of profanity, campaign for office, or promote a business.

ADOPTION OF AGENDA

ORDER OF CONSENSUS

Items listed under this category are considered routine and are acted upon by the Board with a single vote. The Consent Agenda provides a method for the expeditious handling of items that do not require discussion. If a Board Member desires they may extract an item and it is added to the regular agenda.

- C-1. Draft Minutes – October 25, 2016 Regular Meeting.
- C-2. Resolution; Commendation; Nila Ingles; Service to Prince George County.
- C-3. Resolution; Proposed Revision; Prince George County Personnel Policy; Section 21.1 Entitled *Holidays*.

PRESENTATIONS

- S-1. Resolution; Commendation; Nila Ingles; Service to Prince George County.

SUPERVISORS' COMMENTS

COUNTY ADMINISTRATOR'S COMMENTS

REPORTS

Virginia Department of Transportation – Crystal Smith
NACO Prescription Drug Program – Jeff Stoke

TABLED ITEMS

- T-1. CONDITIONAL REZONING RZ-16-03 Request of BPP Jefferson Pointe LLC to conditionally rezone 3.4 +/- acres from B-1, General Business District to R-3 General Residential District to permit apartments. The Comprehensive Plan calls for Commercial use. The subject properties are located at the intersection of Bailey's Ridge Boulevard and Jefferson Park Road, adjacent to Fort Lee, and are identified as Tax Maps 12D(03)00-003-0 & 004-0.

- T-2. ZONING CASE AMENDMENT RZ-16-04 Request of BPP Jefferson Pointe LLC to amend Cases ZM-96-003 and ZM 86-7 relative to apartments and to recreational facilities. The Comprehensive Plan calls for Residential – multi-family use. The subject property is located near the intersection of Bailey’s Ridge Boulevard and Jefferson Pointe Lane and is identified as Tax Map 12D(02)00-011-0.

ORDER OF BUSINESS

- A-1. Authorization to Hold a Public Hearing on December 13, 2016 to Consider Adoption of an Ordinance to Amend The Code of the County of Prince George, Virginia, 2005, as Amended, by Amending Sections 82-233 and 82-541 to Revise Allowances for Adjustments to Customer Water and Sewer Charges Related to Leaks.
- A-2. Resolution; Approval of an Amendment to the Statement of Agreement with the Health Department in Order to Modify Lease Terms for Use of the Human Services Building.
- A-3. Discussion on Setting a Date for a Work Session on Utilities Infrastructure.
- A-4. Discussion on Establishment of a Core Committee for Schools Facilities Study.
- A-5. Approval of Letter in Support of VRS Rate Contributions at One Hundred Percent and State Funding for Salary Increases for Teachers and Other Instructional Personnel.

PUBLIC HEARINGS

- P-1. Resolution; Ordinance to Amend The Code Of The County Of Prince George, Virginia, 2005, as Amended, by Amending § 14-39 to Add a License Tax for Direct Sales and to Eliminate a Fee for Massage Parlors.

ADJOURNMENT

Board meeting format: Closed Meeting at 6:00 p.m., followed by a Business Meeting at 7:00 p.m. with Public Hearings being heard at 7:30 p.m. **Visit Prince George County website for information www.princegeorgecountyva.gov.**

MINUTES
Board of Supervisors
County of Prince George, Virginia

November 9, 2016

7:00 p.m.

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

MEETING CONVENED. A regular meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 7:00 p.m. on Tuesday, November 9, 2016 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by William A. Robertson, Jr., Chairman.

ATTENDANCE. The following members responded to Roll Call:
William A. Robertson, Jr., Chairman Present
Jerry J. Skalsky, Vice-Chairman Present
Alan R. Carmichael Present
Donald R. Hunter Present
T. J. Webb Present

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

Invocation. Mr. Skalsky gave an invocation.

Pledge of Allegiance to U.S. Flag. Boy Scouts from Troop 177 led the Pledge of Allegiance to the United States Flag.

PUBLIC COMMENTS. Chairman Robertson announced that anyone wishing to come before the Board may do so at this time. He noted that this was the time for unscheduled general public comments. He opened the public comments at 7:04 p.m. There was no one to speak and the public comments period was closed.

Mr. Dinish Patel (Business Owner, Traveler's Inn at Exit 41). Mr. Patel stated that the property next door to his business is in very bad shape and it is hurting his business. This has been an ongoing problem since 2008. He asked the Board to please have the County do something about this. He presented the Board with pictures.

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

On roll call the vote was:

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

Opposed: (0)

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

C-1. Draft Minutes – October 25, 2016 Regular Meeting were approved as presented.

R-16-088

C-2.

RESOLUTION; COMMENDATION;
CASE MANAGER NILA I. INGLES;
SERVICE TO PRINCE GEORGE COUNTY

WHEREAS, Nila I. Ingles was hired on October 16, 1999, as a Social Worker; and

WHEREAS, Mrs. Ingles was promoted to the position of Case Manager on July 16, 2013; and

WHEREAS, Mrs. Ingles worked tirelessly in serving the families of Prince George County; and

WHEREAS, Mrs. Ingles has provided adult services, Adult Protective Services and managed the Adult Companion Care Program; and

WHEREAS, Mrs. Ingles provided back up services for Child Protective Services; and

WHEREAS, Mrs. Ingles provided on-call emergency services for Child Protective Services and Adult Protective Services as part of the 24/7 safety net for County citizens; and

WHEREAS, Mrs. Ingles cheerful disposition and relentless commitment to advocating for her clients has garnered high regards from the individuals and families she has worked with; and

WHEREAS Mrs. Ingles advanced her Social Work education with a Bachelor of Science in Social Work and a Master of Social Work degree from the University of the Philippines; and

WHEREAS, Mrs. Ingles 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 more than 17 years, Nila I. Ingles has served the citizens of the County to the utmost of her ability, demonstrating commitment, integrity, and devotion in a manner bespeaking the dedication of a true public servant. Mrs. Ingle's institutional knowledge and social work expertise are irreplaceable and 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 9th day of November, 2016, does hereby commend Case Manager Nila I. Ingles for completion of more than 17 years of dedicated service to the County and its citizens; and

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

R-16-088A

C-3.

RESOLUTION; PROPOSED REVISION; PRINCE GEORGE COUNTY PERSONNEL POLICY; SECTION 21.1 ENTITLED *HOLIDAYS*

WHEREAS the Prince George County Personnel Policy Manual has been reviewed by staff and it has been determined that existing policy entitled *Holidays* Section 21.1 requires modification; and,

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George, this 9th day of November, 2016 does hereby amend the Prince George County Personnel Policy, Section 21.1 entitled *Holidays*.

On roll call the vote was:

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

Opposed: (0)

PRESENTATIONS

S-1. Resolution; Commendation; Nila Ingles; Service to Prince George County. Mr. Hunter presented the commendation to Ms. Ingles in the presence of her family and coworkers.

SUPERVISORS' COMMENTS

Mr. Skalsky reminded the public of the Veteran's Day ceremony on Friday and all of the upcoming holiday events.

Mr. Carmichael commended the Registrar's Office and the Police for their hard work during the election.

Mr. Webb wished everyone a Happy Thanksgiving.

Chairman Robertson stated that the Veteran's Day ceremony will be at the Old Courthouse Building on Friday, November 11 at 11:00 a.m. Brigadier General Drushal will be the speaker from Fort Lee. The Christmas Parade will be on December 3.

COUNTY ADMINISTRATOR COMMENTS

Mr. Ashcraft stated that the Citizens Academy Graduation will be on November 10 at 6 p.m. at the Old Courthouse. There will be a Concert for Veterans on November 11 at 6:30 p.m. at the Beacon Theatre. There will be a Groundbreaking for the Tri-Cities Emergency Center on November 15 at 9 a.m. at 1700 Temple Parkway. The Master Gardners Program 'Putting the Garden to Bed' will be on November 15 at 6 p.m. at the Prince George Library. The Rowanty Technical Center Open House will be on November 16 from 5 to 8 p.m. at 20000 Rowanty Road. There will be a Mobile Home Park Meeting on November 17 at 6:30 p.m. at the Prince George Library. The RCCJB Breakfast & Awards Ceremony will be on November 18 at 8 a.m. at The Beacon Theatre. The Prince George Senior Citizens Academy Graduation will be on November 18 at 2 p.m. in the Board Room. The turnout for Tuesday's General Election was 69 percent. Prince George County wins 'Go Green Certification' from Virginia Association of Counties (VACo). Deputy County Administrator Jeff Stoke has been named an ICMA Credentialed Manager Candidate.

REPORTS

Virginia Department of Transportation. Ms. Diana Bryant of VDOT gave a brief update on the road maintenance in Prince George County. There has been a lot of shoulder repair on Route 460, 106/156 and some of the secondary roads. There has been a lot of pothole patching performed along various secondary roads. Mr. Webb stated that there are still potholes on Hines Road. He also expressed a concern regarding the paving on Route 10. She stated that they are addressing paving and marking issues with the contractor. Ms. Bryant also stated that the truck restriction studies on Baxter Road and Butler Branch Road have been closed and neither road was warranted for a truck restriction.

NACO Prescription Drug Program – Mr. Jeff Stoke, Deputy County Administrator, stated that Prince George County has been participating in the National Association of Counties (NACo) Prescription Discount Card Program since 2006. A discount card may be printed at <http://www.nacorx.org/>. This is not an insurance program. The discount card can only be used for prescriptions not covered by insurance or Medicare. There is no cost to NACo, no cost to the counties participating in the program, and no cost to the citizens using the discount card. Membership is free. The discount cards are accepted at more than 68,000 pharmacies nationwide. The overall average savings is about 24 percent. Some local pharmacies which accept the card are the RITE AID at The Crossings, the WALGREENS in Hopewell, and the CVS PHARMACY in Petersburg. Total cost savings by Prince George County residents since 2007 is \$43,050.37. The number of users has dropped steadily from 252 in 2007 to 39 in 2015. Since the prescription discount card cannot be used with existing medical insurance, staff has inferred that The Patient Protection and Affordable Care Act signed into law March 23, 2010 is accommodating citizens not previously covered. Any Prince George County citizens who pay retail prices for prescriptions should print out a card and present it at their next pharmacy visit. Pets are covered if the drug prescribed can also be used to treat human conditions.

TABLED ITEMS

T-1. CONDITIONAL REZONING RZ-16-03 Request of BPP Jefferson Pointe LLC to conditionally rezone 3.4 +/- acres from B-1, General Business District to R-3 General

Residential District to permit apartments. The Comprehensive Plan calls for Commercial use. The subject properties are located at the intersection of Bailey’s Ridge Boulevard and Jefferson Park Road, adjacent to Fort Lee, and are identified as Tax Maps 12D(03)00-003-0 & 004-0. This item and T-2 were tabled from the November 9 Board of Supervisors meeting in order to revise the proffers on both matters to include an option to make improvements at Prince George High School. Mr. Hunter made a motion, seconded by Mr. Webb to suspend the rules to consider revised proffers. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the conditional rezoning as presented with the amended proffers. Roll was called on the motion.

R-16-O11

T-1.

CONDITIONAL REZONING RZ-16-03 Request of BPP Jefferson Pointe LLC to conditionally rezone 3.4 +/- acres from B-1, General Business District to R-3 General Residential District to permit apartments. The Comprehensive Plan calls for Commercial use. The subject properties are located at the intersection of Bailey’s Ridge Boulevard and Jefferson Park Road, adjacent to Fort Lee, and are identified as Tax Maps 12D(03)00-003-0 & 004-0.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Conditional Rezoning Application identified as RZ-16-03 is granted as an amendment to the official zoning map with the following conditions:

The Owner (the “Owner”) in this zoning case, pursuant to §15.2 2303 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Prince George County, Virginia (the “County”) for themselves and their successors or assigns, proffer that the development of the Property known as Prince George County Tax Identification Numbers 12D(03)00-003-0 and 12D(03)00-004-0 (together, the “Property”) under consideration will be developed according to the following conditions if, and only if, the application request for rezoning to R-3 General Residential is granted with only those conditions voluntarily agreed to by the Applicant. In the event the request is denied or is approved with conditions not agreed to by the Owner, the proffers shall immediately be null and void and of no further force or effect.

Exhibit A – Schematic Site Plan, prepared by McAllister + Foltz Architecture, P.C., dated August 22, 2016 (the “Plan”).

Exhibit B – Elevations for Apartments, prepared by McAllister + Foltz Architecture, P.C., dated August 22, 2016 (the “Elevations”).

Exhibits C1, C2, C3 – Floor plans for Apartments, prepared by McAllister + Foltz Architecture, P.C., dated August 22, 2016 (the “Floor Plans”).

Exhibit D – List of interior finishes for Apartments dated August 22, 2016.

Exhibits E1, E2, E3 – Elevations and floor plans for Clubhouse, prepared by McAllister + Foltz Architecture, P.C., dated August 22, 2016 (the “Clubhouse”).

1. Siding Materials. Siding material shall be HardiPlank or similar fiber cement siding, with a minimum of ten percent (10%) of buildings facades faced with brick, stone, stucco, or materials having the appearance of such materials. Alternative siding materials maybe permitted if approved by the Director of Community Development and Code Compliance; however, vinyl siding shall not be permitted.

2. Private Roads. Access and interior drive aisles within the Property, as well as paved sidewalks and curb and gutter, shall be private and maintained by the Owner.

3. Landscaping. In addition to the landscaping requirements set forth in the Zoning Ordinance, the corner side setback from Jefferson Park Road shall contain plantings consistent with Section 90-826.2, provided that existing vegetation may be preserved and used as part of the required landscaping as approved by the Director of Community Development and Code Compliance.
4. Dwelling Units. All units shall be 1, 2 or 3 bedrooms. Not more than 25% of these units may contain three (3) bedrooms.
5. Construction in Accordance with Plan, Floor Plans, Elevations, and Interior Finishes. The Property shall be developed substantially in accordance with the Plan attached as Exhibit A. Apartment buildings shall be constructed to generally conform to the Elevations attached as Exhibit B. Dwelling units in each of the Apartment buildings shall be constructed generally in conformance with the Floor Plans attached as Exhibit C. The interior finishes in each dwelling unit shall generally conform to Exhibit D. Minor deviations from the floor plans, elevations and list of finishes may be approved by the Director of Community Development and Code Compliance. Major deviations from the Exhibits shall only be permitted if approved by the Planning Commission.
6. Recreational facilities: Recreational facilities including a two-story Clubhouse with gym, pool and jacuzzi for residents shall be provided substantially in accordance with Exhibit A and Exhibits E1, E2, E3. A certificate of occupancy for the recreational facilities must be obtained prior to the issuance of a building permit for the apartment building to be constructed on Parcel 12D(02)001-011-0.
7. Signage. A monumental sign, as permitted by the Zoning Ordinance, shall be installed to generally conform to the sign shown on Exhibit A.
8. Public School Facility Improvements. In accordance with Code of Virginia § 15.2-2303.4, a cash payment of \$1,366 per dwelling unit shall be paid to the County at the time of issuance of the certificate of occupancy for each building for public school facility improvements (the “School Improvements”) that are specifically attributable to the proposed apartments. School Improvements, at the discretion of the Board of Supervisors, shall mean either i.) a portion of the doors and windows at L.L. Beazley Elementary School that have been identified as needing replacement to adequately provide educational services to additional children, or ii) the installation of an air condition system and a new hot water tank at Prince George High School to serve the girls’ and boys’ locker rooms and increase the functional capacity the school athletic facilities to adequately provide physical educational services to additional children. The School Improvements must be installed within two (2) years of the issuance of the later issued certificate of occupancy for the apartment buildings, or this proffer shall be void and of no effect. The total cash payment herein provided shall not exceed \$65,568. The Owner affirms that the cash proffer provided herein is voluntarily given to address impacts that are specifically attributable to the new residential development in accordance with Code of Virginia § 15.2-2303.4.
9. Water Line Connection. The Owner shall connect to the County water line along Baileys Ridge Drive.
10. Financing to be insured by FmHA Section 221 (d) (4), with no subsidized any housing units.

On roll call the vote was:

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

Opposed: (0)

T-2. ZONING CASE AMENDMENT RZ-16-04 Request of BPP Jefferson Pointe LLC to amend Cases ZM-96-003 and ZM 86-7 relative to apartments and to recreational facilities. The Comprehensive Plan calls for Residential – multi-family use. The subject property is located near the intersection of Bailey’s Ridge Boulevard and Jefferson Pointe Lane and is identified as Tax Map 12D(02)00-011-0. Mr. Hunter made a motion, seconded by Mr. Skalsky,

to approve the zoning case amendment as presented with the revised proffers. Roll was called on the motion.

O-16-12

T-2.

ZONING CASE AMENDMENT RZ-16-04 Request of BPP Jefferson Pointe LLC to amend Cases ZM-96-003 and ZM 86-7 relative to apartments and to recreational facilities. The Comprehensive Plan calls for Residential – multi-family use. The subject property is located near the intersection of Bailey’s Ridge Boulevard and Jefferson Pointe Lane and is identified as Tax Map 12D(02)00-011-0.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Conditional Rezoning Application identified as RZ-16-04 is granted as an amendment to the official zoning map with the following conditions:

The Owner (the “Owner”) in this zoning case, pursuant to §15.2 2303 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Prince George County, Virginia (the “County”) for themselves and their successors or assigns, proffer that the development of the Property known as Prince George County Tax Identification Numbers 12D(02)00-011-0 (the “Property”) under consideration will be developed according to the following conditions, if and only if the application request for a proffer amendment is granted with only those conditions voluntarily agreed to by the Applicant.

Exhibit A – Schematic Site Plan, prepared by McAllister + Foltz Architecture, P.C., dated August 22, 2016 (the “Plan”).

Exhibit B – Elevations for Apartments, prepared by McAllister + Foltz Architecture, P.C., dated August 22, 2016 (the “Elevations”).

Exhibits C1, C2, C3 – Floor plans for Apartments, prepared by McAllister + Foltz Architecture, P.C., dated August 22, 2016 (the “Floor Plans”).

Exhibit D – List of interior finishes for Apartments dated August 22, 2016.

1. Dedicate to Virginia State Highway Department the necessary right-of-way as required to provide the ultimate improvements of Route 630.
2. Construct a twelve (12) foot widening lane as per VDH&T requirements for later incorporation into Route 630 improvements.
3. Maximum Number of Dwelling Units. The maximum number of dwelling units shall be 24. All units shall either be 2 or 3 bedrooms. Not more than 25 % of these units may contain three (3) bedrooms.
4. Prior to construction of the garden apartments, all mobile homes will be removed from the site.
5. M-1 zoning to be limited only to mini-warehouses similar in design to Southside Self-Storage, Route 36, Prince George County.
6. Retail not to be constructed until Route 630 is improved.
7. Retail to exclude the following permitted and special exception uses:

Adult movie theater; adult book store; massage parlor; fortune tellers; occult sciences; nightclub; pawn shop; auction sales; secondhand store; salvage barn; tire recapping or sales; automotive service; tent revival (temp.); truck terminals; public garage; funeral homes; crematory; cabinet shop; plumbing service and sales; building material sales; canning; carpenter shop; boat sales; automobile rental; mini-motion picture theater;

- kennels; monument sales; mobile home sales; modular home sales; radio tower; turkey shoot; service station with major repair facilities under cover.
8. No encroachment into designated easements nor lower than recent Fort Lee calculated floodplain elevation without approval of the Army Corps of Engineers.
 9. Financing to be insured by FmHA Section 221 (d) (4), with no subsidized any housing units.
 10. Construction in Accordance with Plan, Floor Plans, Elevations, and Interior Finishes. The Property shall be developed substantially in accordance with the Plan attached as Exhibit A. Apartment buildings shall be constructed to generally conform to the Elevations attached as Exhibit B. Dwelling units in each of the Apartment buildings shall be constructed generally in conformance with the Floor Plans attached as Exhibit C. The interior finishes in each dwelling unit shall generally conform to Exhibit D. Minor deviations from the floor plans, elevations and list of finishes may be approved by the Director of Community Development and Code Compliance. Major deviations from the Exhibits shall only be permitted if approved by the Planning Commission.
 11. Siding Materials. Siding material shall be HardiPlank or similar fiber cement siding, with a minimum of ten percent (10%) of buildings facades faced with brick, stone, stucco, or materials having the appearance of such materials. Alternative siding materials maybe permitted if approved by the Director of Community Development and Code Compliance; however, vinyl siding shall not be permitted.
 12. Public School Facility Improvements. In accordance with Code of Virginia § 15.2-2303.4, a cash payment of \$1,366 per dwelling unit shall be paid to the County at the time of issuance of the certificate of occupancy for each building for public school facility improvements (the “School Improvements”) that are specifically attributable to the proposed apartments. School Improvements, at the discretion of the Board of Supervisors, shall mean either i.) a portion of the doors and windows at L.L. Beazley Elementary School that have been identified as needing replacement to adequately provide educational services to additional children, or ii) the installation of an air condition system and a new hot water tank at Prince George High School to serve the girls’ and boys’ locker rooms and increase the functional capacity the school athletic facilities to adequately provide physical educational services to additional children. The School Improvements must be installed within two (2) years of the issuance of the later issued certificate of occupancy for the apartment buildings, or this proffer shall be void and of no effect. The total cash payment herein provided shall not exceed \$65,568. The Owner affirms that the cash proffer provided herein is voluntarily given to address impacts that are specifically attributable to the new residential development in accordance with Code of Virginia § 15.2-2303.4.

On roll call the vote was:

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

Opposed: (0)

PUBLIC HEARINGS

P-1. Public Hearing; Ordinance to Amend The Code Of The County Of Prince George, Virginia, 2005, as Amended, by Amending § 14-39 to Add a License Tax for Direct Sales and to Eliminate a Fee for Massage Parlors. Mr. Steve Micas, County Attorney, stated that the County Code fails to include the business of “direct sales” as a business activity subject to a license tax in Prince George. Under State law, “direct sales” is the sale of merchandise or consumer products when the seller has no permanent business location. There are currently three known people engaged in direct sales in the County although that number may represent an undercount because previously there was no tax consequence to engaging in direct sales. The Commissioner of the Revenue does not anticipate significant tax revenue arising out of this change. The Commissioner of the Revenue recommends setting a tax rate of \$0.15 per \$100 rate (State maximum rate is \$0.20 per \$100). In addition, it is recommended that the outdated reference to a \$5,000 license fee for massage parlors be repealed. Massage therapists are currently taxed as a personal service. Chairman Robertson opened the public hearing at 7:45

p.m. There was no one to speak and the public hearing was closed. Mr. Hunter made a motion, seconded by Mr. Webb, to approve the ordinance as presented. Roll was called on the motion.

O-16-13

P-1.

ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, BY AMENDING § 14-39 TO ADD A LICENSE TAX FOR DIRECT SALES AND TO ELIMINATE A FEE FOR MASSAGE PARLORS

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

- (1) *That The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified by amending § 14-39, as follows:*

Sec. 14-39. – License fee and tax.

- (b) Except as otherwise provided in this article, every person whose gross receipts from a business, profession or occupation subject to licensure exceeded \$50,000.00 during the preceding license year shall pay a tax levied on such gross receipts in accordance with the following schedule:

(11) ~~Every person operating a massage parlor shall pay an annual license tax of \$5,000.00. Such license shall neither be transferable to another person nor subject to proration for part of a license year.~~

(11) For direct sellers as defined in § 58.1-379.1 Code of Virginia, 1950, as amended, with total annual sales in excess of \$4,000, (\$0.15) per hundred dollars of total gross annual retail sales.

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

On roll call the vote was:

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

Opposed: (0)

ORDER OF BUSINESS

A-1. Authorization to Hold a Public Hearing on December 13, 2016 to Consider Adoption of an Ordinance to Amend The Code of the County of Prince George, Virginia, 2005, as Amended, by Amending Sections 82-233 and 82-541 to Revise Allowances for Adjustments to Customer Water and Sewer Charges Related to Leaks. Mr. Chip England, County Engineer, stated that they do have a handful of customers each month that come to them with a leak on their property that has usually have discovered once the meter has been read. These leaks result in higher than normal charges for the customer. The Utilities Department does incur the costs for providing those sewer and water services to those customers even though it leaked onto their property. The current Code establishes rules that allow the ability to give some relief to these customers when they discover these leaks and fix them in a timely manner. The credits for water and sewer are calculated on a very different and confusing calculation method. This makes it very difficult to try to explain to the customer. Staff is asking the Board to consider revisions to the Code to allow these credit calculations for water and sewer to be consistent with one another. This would make it much straight forward and easy to explain to the customers. It would allow Utilities to adjust the customer's charges to the average of their three previous bills. Mr. Skalsky made a motion, seconded by Mr. Carmichael, to approve the resolution as presented. Roll was called on the motion.

R-16-089

A-1.

AUTHORIZATION TO HOLD A PUBLIC HEARING ON DECEMBER 13, 2016 TO CONSIDER ADOPTION OF AN ORDINANCE TO AMEND THE

CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, BY AMENDING SECTIONS 82-233 AND 82-541 TO REVISE ALLOWANCES FOR ADJUSTMENTS TO CUSTOMER WATER AND SEWER CHARGES RELATED TO LEAKS

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 9th day of November, 2016, does hereby authorize a Public Hearing on December 13, 2016 to consider adoption of an ordinance amending The Code of Prince George County, Virginia, 2005, as amended by amending sections 82-233 and 82-541 to revise allowances for adjustments to customer water and sewer charges related to leaks.

On roll call the vote was:

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

Opposed: (0)

A-2. Resolution; Approval of an Amendment to the Statement of Agreement with the Health Department in Order to Modify Lease Terms for Use of the Human Services Building. Mr. Micas stated that since at least 2004, the County has entered into an agreement with the Commonwealth of Virginia for the Health Department to provide services related to local ordinances and in order to lease space in the Human Services Building used by the Health Department. The State's proposed revision indicates that the Agreement has actually existed since 1988. By Executive Order, Governor McAuliffe has recently required that all localities who lease space to State agencies must amend existing leases to prohibit the possession of firearms in the leased areas used by State agencies. Under the Executive Order, the County must post signs at the Health Department and in the parking lot providing notice that firearms are prohibited. The State will pay for the cost of these signs. Normally, under State law, the County cannot pass any ordinance or regulation prohibiting possession of firearms in public buildings. Existing State law prohibits possession of firearms in courts and on school property. Mr. Micas clarified for the Board that this will only apply to the Health Department offices. It will not prohibit firearms in the other offices in the Human Services Building. The Board agreed that they do not agree with this State mandate, but they do not want the Health Department to have to move. Mr. Carmichael made a motion, seconded by Mr. Hunter, to approve the resolution as presented. Roll was called on the motion.

R-16-090

A-2

APPROVAL OF AN AMENDMENT TO THE "STATEMENT OF AGREEMENT" WITH THE HEALTH DEPARTMENT IN ORDER TO MODIFY LEASE TERMS FOR USE OF THE HUMAN SERVICES BUILDING

WHEREAS, Since at least 2004, the County has entered into an agreement with the Commonwealth of Virginia for the Health Department to provide services related to local ordinances and in order to lease space in the Human Services Building used by the Health Department; and

WHEREAS, The State's proposed revision indicates that the Agreement has actually existed since 1988. By Executive Order, Governor McAuliffe has recently required that all localities who lease space to State agencies must amend existing leases to prohibit the possession of firearms in the leased areas used by State agencies; and

WHEREAS, Under the Executive Order, the County must post signs at the Health Department and in the parking lot providing notice that firearms are prohibited. The State will pay for the cost of these signs. Normally, under State law, the County cannot pass any ordinance or regulation prohibiting possession of firearms in public buildings. Existing State law prohibits possession of firearms in courts and on school property.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Prince George County, Virginia, on this 9th day of November, 2016, does hereby approve an

amendment to the Statement of Agreement with the Health Department in order to modify lease terms for use of the Human Services Building.

On roll call the vote was:

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

Opposed: (0)

A-3. Discussion on Setting a Date for a Work Session on Utilities Infrastructure. After brief discussion, the Board agreed to schedule the work session for December 5 at 6:00 p.m. in the Utilities Conference Room.

A-4. Discussion on Establishment of a Core Committee for Schools Facilities Study.

Chairman Robertson stated that the School Board has requested that a Core Committee be established for a Schools Facilities Study. They have asked that the Board of Supervisors come up with no more than ten people to serve on this Committee. This will be a ten to twelve month commitment with evening visits and some off-site and on-site visits on possibly Saturdays. Chairman Robertson suggested that each Board member come up with one citizen that will represent the best interest of the County. Two Board of Supervisors members will also need to serve on it along with Ms. Betsy Drewry, Finance Director, and Ms. Julie Walton, Director of Community Development. He asked that each Board member have their appointments by the November 22 Board of Supervisors meeting. Two School Board members will serve on this Committee along with the School Superintendent and Assistant Superintendent. The School Board members will each appoint one citizen as well. The Committee will consist of a total of about 25 people.

A-5. Approval of Letter in Support of VRS Rate Contributions at One Hundred Percent and State Funding for Salary Increases for Teachers and Other Instructional Personnel.

Fairfax County has asked other members of the Golden Crescent, which includes Prince George County, to write a letter of support to the General Assembly for additional funding for VRS Contributions and salary increases for teacher and other instructional personnel. This letter will need to be signed by the Chairman and he wanted to get approval from the full Board. The Board agreed to have the County Attorney construct the letter for Chairman Robertson's signature.

ADJOURNMENT. Mr. Skalsky moved, seconded by Mr. Hunter, that the meeting be adjourned. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

The meeting adjourned at 8:31 p.m.

[Draft Minutes prepared November 16, 2016, for consideration on November 22, 2016; adopted by unanimous vote.]

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

Percy C. Ashcraft
County Administrator