

**AGENDA**

Board of Supervisors  
County of Prince George, Virginia  
Regular Meeting: April 25, 2017  
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

**WORK SESSION**

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO U.S. FLAG**

**PUBLIC COMMENTS**

**ADOPTION OF AGENDA**

**ORDER OF CONSENSUS**

- C-1. Draft Minutes – April 11, 2017 Regular Meeting and April 13, 2017 Adjourned Meeting.
- C-2. Resolution; Proclamation; National Police Week – May 14-20, 2017.
- C-3. Resolution; Proclamation; Building Safety Month – May.
- C-4. Resolution; Proclamation; EMS Appreciation Week.
- C-5. Resolution; Appropriation of Cameron Foundation Payment to CIP Exit 45; \$239,228.75.
- C-6. Resolution; Proclamation Recognizing May 7 Through May 13 as Drinking Water Week in Prince George County.

**PRESENTATIONS**

**SUPERVISORS' COMMENTS**

**COUNTY ADMINISTRATOR'S COMMENTS**

**REPORTS**

**Toddler Fair** – Shel Douglas

**Quarterly Financial Report** – Betsy Drewry

**TABLED ITEMS**

**ORDER OF BUSINESS**

- A-1. Resolution Authorizing the County Administrator to Accept Various Easements Related to the Luca Restaurant Development.
- A-2. Resolution; Authority to Apply for Grant Application – Altria “Keep Virginia Beautiful” Grant; Amount \$500-\$1,000.

- A-3. Resolution; Earmark 7.5% of Transient Occupancy Taxes Dedicated for Contribution to Tourism to Prince George Regional Heritage Center.

**PUBLIC HEARINGS**

- P-1. Public Hearing; Ordinance Amendment OA-17-01 Ordinance to Amend THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, as Amended, by Amending Sections 90-1; 90-53; 90-103; 90-152; 90-202; 90-242; 90-292; 90-342; 90-393; 90-443; 90-493; and to add Sections 90-16; 90-54; 90-104; 90-160; 90-210; 90-250; 90-300; 90-350; 90-398; 90-450; 90-500; 90-542; and 90-551, to Allow the Accessory Use of Solar Facilities, and to Allow Small Solar Energy Facilities and Large-Scale Solar Energy Facilities by Special Exception in all Zoning Districts, Except for the M-3 District, Where They Shall be Permitted by Right.
- P-2. Public Hearing; FY18 Budget.

**ADJOURNMENT**

**Board meeting format:** Executive Meeting at 5:00 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.princegeorgeva.org](http://www.princegeorgeva.org).**

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

April 25, 2017

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

**MEETING CONVENED.** A regular meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 7:00 p.m. on Tuesday, April 25, 2017 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  
Donald R. Hunter, Vice-Chairman Present  
Alan R. Carmichael Present  
Jerry J. Skalsky 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.** Mr. Carmichael 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 7:02 p.m.

Mr. Steve Barnes (3400 Prince George Drive, Prince George VA). Mr. Barnes was involved in an accident in his shop about a month ago. As a result, he lost an eye, suffered from broken bones in his face and had 300 stitches. Mr. Barnes wanted to thank the First Responders, Fire and EMS, and the Police. He said they saved his life and he is so proud to be a Prince George Royal. He said he was grateful to live in this Community and told the Board that they are to be commended for keeping these employees responsible and efficient.

There was no one else to speak so Chairman Robertson closed the public comments period at 7:05 p.m.

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

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

**ORDER OF CONSENSUS.** After Mr. Carmichael extracted Item C-1, he made a motion, seconded by Mr. Hunter, that the consensus agenda be approved as amended. Roll was called on the motion.

R-17-059

C-2.

RESOLUTION; PROCLAMATION; NATIONAL POLICE WEEK – MAY 14- 20, 2017

WHEREAS, in 1962, President John F. Kennedy signed the first proclamation recognizing May 15<sup>th</sup> as Peace Officers Memorial Day and the week in which it falls as National Police Week, “to pay tribute to the law enforcement officers who have made the ultimate sacrifice for our country and to voice our appreciation for all those who currently serve on the front lines of the battle against crime”; and

WHEREAS, the safety and well-being of Virginians is of the utmost importance to the prosperity and livelihood of Virginia’s families and communities; and

WHEREAS, police officers throughout our Commonwealth are dedicated to protecting and serving Virginia’s communities – our neighborhoods, schools, and families; and

WHEREAS, police officers risk their lives each and every day in order to ensure public safety and enforce the laws of the land; and

WHEREAS, Virginians value the courage and devotion of our Commonwealth’s state and local police, as our collective prosperity depends on the integrity with which our law enforcement officers maintain peace and security; and

WHEREAS, Virginia Police Week and Peace Officers Memorial Day are opportunities to honor officers who have fallen in the line of duty, and recognize the sacrifices made by the families of those officers and the families of those who continue to protect and serve our communities;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 25<sup>th</sup> day of April, 2017, hereby formally designates May 14-20, 2017, as Police Week in Prince George County, and publicly salutes the service of law enforcement officers in our community and in communities across the nation; and

BE IT FURTHER RESOLVED that the Board calls upon all citizens of Prince George County to observe May 15, 2017 as Peace Officers’ Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

R-17-059A

C-3.

**RESOLUTION; PROCLAMATION; BUILDING SAFETY MONTH; MAY 2017**

WHEREAS, Prince George County’s is committed to recognizing our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

WHEREAS, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these guardians are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, worship, play, and;

WHEREAS, our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the nation; these modern building codes include safeguards to protect the

public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to keep America great, and;

WHEREAS, "Code Officials—Partners in Community Safety and Economic Growth" the theme for Building Safety Month 2017, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2017 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Prince George County do hereby recognize the month of May 2017, as BUILDING SAFETY MONTH in Prince George County and we call this observance to the attention of all our citizens.

R-17-059B

C-4.

RESOLUTION; RECOGNIZING MAY 21-27, 2016, AS  
"NATIONAL EMERGENCY MEDICAL SERVICES WEEK"

WHEREAS, the emergency medical service community is a partnership of physicians, nurses, medical technicians, paramedics, firefighters, communication officers, police officers, educators, administrators, and others; and

WHEREAS, providing emergency medical services is a vital quality of life public function, constantly requiring our services to the community; and

WHEREAS, many hours of specialized training and continuing education is required of our career and volunteer emergency services members to enhance their lifesaving skills; and

WHEREAS, the residents of Prince George County benefit greatly from the hard work, long hours, dedication, and professionalism of these highly skilled members; and

WHEREAS, Prince George Fire & EMS emergency medical service providers collectively handled over 3200 medical calls in 2016; and

WHEREAS, it is proven that immediate access to quality care dramatically improves the outcome of patients with sudden illness or injury; and

WHEREAS, it is appropriate to celebrate the value of the emergency medical service providers from Prince George Fire and EMS, the Prince George Volunteer Emergency Crew, the Burrowsville, Carson, Disputanta, Jefferson Park, and Prince George Volunteer Fire Departments, the Prince George Emergency Communications Center, as well as the Prince George Police Department.

NOW, THEREFORE, BE IT RESOLVED that the Prince George County Board of Supervisors recognizes May 21-27, 2016, as "National Emergency Medical Services Week", with the theme, "EMS STRONG: Always in Service" and encourages the community to observe this week by thanking our providers.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be permanently recorded among the papers of this Board of Supervisors of Prince George County, Virginia.

R-17-059C

C-5.

RESOLUTION; APPROPRIATION (\$239,228.75 CAMERON FOUNDATION GRANT – CIP EXIT 45)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25<sup>th</sup> day of April, 2017, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
0311-08-301-2151-48132-3125 CIP Fund Exit 45 Cameron	\$239,228.25
<u>Revenue:</u>	
0311-10-509-8205-319501 CIP Fund Cameron Foundation Grant	\$239,228.25

R-17-059D

C-6.

RESOLUTION; PROCLAMATION: DRINKING WATER WEEK,  
MAY 7-13, 2017

WHEREAS, water is our most valuable natural resource; and

WHEREAS, only tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and

WHEREAS, any measure of a successful society – low mortality rates, economic growth and diversity, productivity, and public safety – are in some way related to access to safe water; and

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

WHEREAS, each citizen of our county is called upon to help protect our source waters from pollution, to practice water conservation, and to get involved in local water issues by getting to know their water;

NOW, THEREFORE, be it resolved that by virtue of the authority vested in us as the Prince George County Board of Supervisors, we do hereby proclaim May 7-13, 2017 as Drinking Water Week.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**C-1. Draft Minutes – April 11, 2017 Regular Meeting and April 13, 2017 Adjourned Meeting.** Mr. Carmichael made a motion, seconded by Mr. Webb, to table the April 11, 2017 Regular Meeting Minutes to May 9 to allow for corrections to be made before approval. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

Mr. Skalsky made a motion, seconded by Mr. Webb, to approve the April 13, 2017 Adjourned Meeting Minutes as presented. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **SUPERVISORS' COMMENTS**

Mr. Hunter stated that we need to always recognize the Police Department.

Mr. Skalsky commented on the success of the Toddler Fair and the remainder of the Board wished Mr. Hunter a Happy Birthday.

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

Mr. Ashcraft stated that the Planning Commission Meeting will be on April 27 at 6:30 p.m. in the Board Room. The Annual Spring Plant Sale will be on April 29 from 8 a.m. to 12:00 Noon at the Burrowsville Community Center. There will be a Pet Adoption on April 29 from 10 a.m. to 1 p.m. at the American Family Fitness in Colonial Heights. National Drug Take Back Day will be on April 29 from 10 a.m. to 2 p.m. at the Police Department Parking Lot. There will be a Spaghetti Dinner on April 29 from 4 to 7 p.m. at the Burrowsville Volunteer Fire Department. There will be a Core Committee on Education Facilities Public Forum on May 3 at 6 p.m. at Moore Middle School. The County Employee Appreciation Picnic will be on May 5 at 12:00 Noon at Scott Park. The Carson Community Day Luncheon will be on May 7 at 12:15 p.m. at Carson Volunteer Fire Department. Recruitment is underway for the 2017 class for the Prince George Citizens Academy. Email [jstoke@princegeorgecountyva.gov](mailto:jstoke@princegeorgecountyva.gov) for further information. The Burn Ban went into effect February 15 and extends through April 30. Burning will be prohibited until after 4 p.m. daily. Prince George County Utilities Director Chip England has resigned his position to take a similar post in Henrico County, effective May 12.

### **REPORTS**

**Toddler Fair** – Ms. Shel Douglas, Director of Social Services, gave a brief report on the results of the third annual Toddler Fair. Prince George County has received awards from VACO, VML, and the Chamber of Commerce for this program. Prince George County has become a model for looking at the importance of wellness in its youngest citizens. This health fair for age's birth to 5 offers six primary assessments. These assessments include the Ages and Stages Developmental Screening which is a tool that assesses a child's developmental level, the Speech and Articulation Screening, Hearing Screenings, Vision Screenings, Dental Screenings, and child seat assessments. There were 94 families registered for the event with the largest group of participants being 1 to three years old. Fifty-seven families were from Prince George County and Fort Lee. One hundred and fifty-six children were seen and 397 individual screenings were done. There were 54 assessments that fell into the range of some concerns. Those children have received referrals. All total, since the first Toddler Fair, 875 screenings have been provided to 205 families or 329 children. Ms. Douglas showed the Board pictures from the highlights of that day and thanked the following for their help: Smart Beginnings, Prince George Public Schools, Prince George Police & Sheriff's Office, Prince George Girl Scouts, Prince George Parks & Rec, Unity Baptist, Speech & Hearing Association of VA(SHAV), Hopewell-Prince George Healthy Families, Hopewell Lions Club, Appomattox Regional Library System and the Prince George Library, Prince George Fire & EMS Services, Totally Teeny Traveling Farm, District 19 CSB, Hopewell Prince George Community Health Center, and the Prince George Social Service Staff.

**Quarterly Financial Report** – Ms. Betsy Drewry, Financial Director, presented the Quarterly Financial Report for the third quarter of Fiscal Year 2017. General Fund Revenues are coming in as projected. The percentage collections are consistent with the last two fiscal years collections at this time. The accrual timing difference has resolved itself. General Fund Expenditures are on target. They are 71.6% expended which is very consistent with the last two

fiscal years. Utilities Fund is also very much in line with where the County was on a percentage basis last year. There are a number of Capital Projects ongoing. The Tourism Fund and Economic Development Fund are also in line with last year. There are no third quarter proffer collections. The RedFlex Program resumed in FY2017, and as of March 31, 2017 5 payments had been received (November - March), totaling \$3,004.26. The Health Insurance balance was \$1.71M on March 31. This is similar to the June 30, 2016 balance of \$1.73M. FY2016 was an unusually good year for claims vs. premiums/contributions. Claims are higher in FY2017. The 2017-18 renewal was approved on April 11 and open enrollment is underway for County employees [restricted drug formulary & rate increase of 7.68% - all County-absorbed; no increase for employees]. Looking ahead, the FY2018 budget preparation is underway and adoption is scheduled for May 9. The preliminary FY2017 Audit test work is scheduled for July 10-14, 2017.

**ORDER OF BUSINESS**

**A-2. Resolution; Authority to Apply for Grant Application – Altria “Keep Virginia Beautiful” Grant; Amount \$500 - \$1,000.** This grant is no cost to the County. Mr. Webb made a motion, seconded by Mr. Skalsky, to approve the resolution as presented. Roll was called on the motion.

R-17-060

AUTHORIZE THE GENERAL SERVICES DEPARTMENT TO COMPLETE AND SUBMIT A GRANT APPLICATION TO **KEEP VIRGINIA BEAUTIFUL** FOR 2017 KEEP VIRGINIA BEAUTIFUL GRANT.

WHEREAS, the General Services Department is requesting approval of the Prince George County Board of Supervisors to apply for grants of \$500-\$1,000 through *Keep Virginia Beautiful*, due April 28, 2017; and

WHEREAS, the total award of \$500-\$1,000 and in-kind match of staff time/resources will be utilized for costs related to the Prince George Clean Community Day; and

WHEREAS, the grant requires an in-kind local match of staff resources/time, which is already included in the adopted general fund appropriated budget.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25<sup>th</sup> day of April, 2017, does hereby authorize the submission of a grant application to *Keep Virginia Beautiful* for \$500 - \$1,000, which requires an in-kind local match of staff resources/time which will not require an additional appropriation.

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-3. Resolution; Earmark 7.5% of Transient Occupancy Taxes Dedicated for Contribution to Tourism to Prince George Regional Heritage Center.** There being no discussion, Mr. Hunter made a motion, seconded by Mr. Skalsky to approve the resolution as presented. Roll was called on the motion.

R-17-061

A-3.

RESOLUTION; EARMARK 7.5% OF TRANSIENT OCCUPANCY TAXES DEDICATED TO TOURISM FUND FOR CONTRIBUTION TO PRINCE GEORGE REGIONAL HERITAGE CENTER EFFECTIVE IMMEDIATELY

WHEREAS, on December 27, 2007 by resolution R-07-134, the Prince George County Board of Supervisors agreed to fund the Prince George County Historical Society (now known as the Prince George County Regional Heritage Center) with 5% of the transient occupancy taxes dedicated to the tourism fund effective July 1, 2008;

AND WHEREAS, The Prince George County Board of Supervisors, by consensus, at a FY2016 Budget Work Session increased this earmark to 7.5% and wishes to formally increase this earmark by resolution;

THEREFORE BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25<sup>th</sup> day of April, 2017, does hereby earmark 7.5% of transient occupancy taxes dedicated to the Tourism Fund to the Prince George County Regional Heritage Center effective immediately.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **PUBLIC HEARINGS**

**P-1. Public Hearing; Ordinance Amendment OA-17-01 Ordinance to Amend THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, as Amended, by Amending Sections 90-1; 90-53; 90-103; 90-152; 90-202; 90-242; 90-292; 90-342; 90-393; 90-443; 90-493; and to add Sections 90-16; 90-54; 90-104; 90-160; 90-210; 90-250; 90-300; 90-350; 90-398; 90-450; 90-500; 90-542; and 90-551, to Allow the Accessory Use of Solar Facilities, and to Allow Small Solar Energy Facilities and Large-Scale Solar Energy Facilities by Special Exception in all Zoning Districts, Except for the M-3 District, Where They Shall be Permitted by Right.** Mr. Douglas Miles, Zoning Administrator, stated that Staff recommends amending the Zoning Ordinance to permit Solar Facilities by Special Exception in certain zoning districts and to allow for the accessory use of solar facilities with certain restrictions. The proposed Zoning Ordinance Amendment was presented and it was discussed at a Board of Supervisors Work Session on February 14, 2017. There will be no cost to the County. However if this Zoning Ordinance Amendment is approved it will allow for County residents and business owners to offset their energy bills and it will allow for utility-scale solar energy providers to produce green electricity. Utility-scale solar energy providers will be treated as a commercial business land use and be taxed by the County accordingly under the prevailing County and State rates. The proposed Solar Facilities Zoning Ordinance Amendment includes new State Code definitions that describe the solar facilities equipment and the utility-scale solar energy projects. Solar energy land uses would be permitted either by Special Exception or as accessory uses in certain zoning districts. The amendment also includes solar energy land use siting requirements being added into the Zoning Ordinance for utility-scale solar energy land uses that will send electrical power back into the utility grid as a renewable power source and solar energy uses will continue to grow in the County. Mr. Douglas talked about and showed examples of roof mounted solar panels, ground mounted solar panels, and Utility Scale Solar Energy Facilities. He also talked about solar land use siting requirements for solar energy facilities. The Planning Commission recommended approval by 6-0 vote on March 23. Chairman Robertson opened the public hearing at 7:45 p.m.

Mr. Larry Barnett (3320 High Peak Lane). Mr. Barnett has solar panels in his home. He is in favor of this ordinance amendment. He did ask what provisions are in place in this amendment if neighbors are opposed to solar panels.

There was no one else to speak and the public hearing was closed at 7:48 p.m. Mr. Miles stated that solar panels in residential is an accessory use and is done by a residential building permit not by special exception, which would only be required in a solar energy facility. Mr. Webb made a motion, seconded by Mr. Carmichael, to approve the ordinance amendment as presented. Roll was called on the motion.

O-17-04

P-1.

ORDINANCE TO AMEND THE CODE OF THE COUNTY OF  
PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, BY

AMENDING §§ 90-1; 90-53; 90-103; 90-152; 90-202; 90-242; 90-292; 90-342; 90-393; 90-443; 90-493; AND TO ADD §§90-16; 90-54; 90-104; 90-160; 90-210; 90-250; 90-300; 90-350; 90-398; 90-450; 90-500; 90-542; AND 90-551, TO ALLOW THE ACCESSORY USE OF SOLAR FACILITIES, AND TO ALLOW SMALL SOLAR ENERGY FACILITIES AND LARGE-SCALE SOLAR ENERGY FACILITIES BY SPECIAL EXCEPTION IN ALL ZONING DISTRICTS, EXCEPT FOR THE M-3 DISTRICT, WHERE THEY SHALL BE PERMITTED BY RIGHT.

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

*(1) That §§ 90-1; 90-53; 90-103; 90-393; 90-443; and 90-493 of The Code Of The County Of Prince George, Virginia, 2005, as amended, are amended and §§90-16; 90-54; 90-104; 90-160; 90-210; 90-250; 90-300; 90-350; 90-398; 90-450; 90-500; 90-542; and 90-551 are added as follows:*

*BE IT ORDAINED by the Prince George County Board of Supervisors that Chapter 90, "Zoning," Article I, "In General," Section 90-1, "Definitions" be amended to read, in part, as follows:*

*Section 90-1. Definitions.*

*Large-scale solar energy facility. A photovoltaic system consisting of solar PV panels, modules, accessory structures and related equipment such as DC to AC inverters, wiring, electric transformers, control systems and storage areas that collect solar energy and convert it into electricity using ten (10) acres or more.*

*"Photovoltaic" or "PV" means materials and devices that absorb sunlight and convert it directly into electricity by semiconductors.*

*"Photovoltaic cell" or "PV cell" means a solid state device that converts sunlight directly into electricity. PV cells may be connected together to form PV modules, which in turn may be combined and connected to form PV arrays (often called PV panels).*

*"Photovoltaic system" or "PV system" means PV cells, which may be connected into one or more PV modules or arrays, including any appurtenant wiring, electric connections, mounting hardware, power-conditioning equipment (inverter), and storage batteries.*

*Small renewable energy project. (i) an electrical generation facility with a rated capacity not exceeding 100 megawatts that generates electricity only from sunlight, wind, falling water, wave motion, tides, or geothermal power, or (ii) an electrical generation facility with a rated capacity not exceeding 20 megawatts that generates electricity only from biomass, energy from waste, or municipal solid waste.*

*Small solar energy facility. A photovoltaic system consisting of solar PV panels, modules, accessory structures and related equipment such as DC to AC inverters, wiring, electric transformers, control systems and storage areas that collect solar energy and convert it into electricity at a rated capacity equal to or less than 100 megawatts using less than ten (10) acres.*

*Sec. 90-16. Solar energy facilities.*

*The following shall apply to all solar energy facilities generally:*

- a. Roof-mounted solar energy facilities shall be exempt from the building height requirements for the zoning district in which they are located. These facilities shall meet the building setback requirements for the structures to which they are affixed.*
- b. Ground-mounted solar energy facilities shall meet the minimum setbacks for principal structures in the zoning districts which they are located.*

- c. *All small and large scale solar energy facilities shall meet a minimum 50' setback if they adjoin, or are adjacent to, a public right of way or residential property.*
- d. *In addition to the requirements for site plans, the following documents and information must be provided for review of large-scale solar energy facilities:*
  - i. *A narrative identifying the applicant, owner, and operator, and describing the proposed solar energy project, including: an overview of the project and its location, approximate rated capacity of the solar energy project, the approximate number, representative types and footprint of solar equipment to be constructed, and a description of ancillary facilities, if applicable;*
  - ii. *A site plan shall, include the following additional information and details:*
    - a. *Location of substations, electrical cabling from the solar systems to the substations, ancillary equipment, buildings, and structures.*
    - b. *Fencing and other methods of ensuring public safety.*
    - c. *Additional information required by the Zoning Administrator may include, but is not limited to: a scaled elevation view and other supporting drawings, photographs of the proposed site, landscaping and screening plan, and such additional information that may be necessary for a technical review of the proposal.*
    - d. *Documentation of right to use property for the proposed project, to include proof of control over the land or possession of the right to use the land in the manner requested.*
    - e. *A decommissioning plan, which shall include the following: (1) the anticipated life of the project; (2) the estimated cost of decommissioning in the future as expressed in current dollars; (3) how said estimate was determined; and (4) the manner in which the project will be decommissioned; (5) the name and physical address of the person or entity responsible for decommissioning.*

*Sec. 90-53. Uses and structures permitted by special exception.*

*The following uses and structures are permitted by special exception in the A-1 general agricultural district:*

- (58) Small solar energy facility;*
- (59) Large-scale solar energy facility*

*Sec. 90-54. - Accessory uses and structures permitted.*

*(c) The following are considered accessory uses with the A-1 general agricultural district, but are subject to the noted provisions:*

- (1) Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*

*Sec. 90-103. Uses and structures permitted by special exception.*

*The following uses and structures are permitted by special exception in the R-A residential agricultural district:*

- (56) Small solar energy facility;*
- (57) Large-scale solar energy facility*

*Sec. 90-104. - Accessory uses and structures permitted.*

*(c) The following are considered accessory uses with the R-A residential agricultural district, but are subject to the noted provisions:*

- (1) *Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*

*Sec. 90-152. - Permitted uses.*

*The following are permitted uses in the R-E residential estate district:*

- (1) *Dwellings, single-family detached on individual lots.*
- (2) *Public schools, parks, playgrounds, athletic fields and related facilities.*
- (3) ~~*Accessory buildings; however, garages or other accessory buildings such as carports, porches, and stoops attached to the main building shall be considered part of the main building. No accessory building shall be closer than five feet to any property line.*~~
- (34) *Church, church bulletin board, parish hall, parish home, convent, monastery.*
- (45) *Offstreet parking as required by article XIX of this chapter.*
- (56) *Agriculture uses on a tract of land not less than five acres in size as defined in section 90-1.*
- (67) *Maintaining of horses and ponies as defined in section 90-1035, but not to include the raising of poultry or livestock.*
- (78) *Home occupations:*
  - a. *Office.*
  - b. *Home occupation child care.*

*Sec. 90-160. - Accessory uses and structures permitted.*

- (a) *In the R-E residential estate district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*
- (b) *The following are considered accessory uses within the R-E residential estate district, but are subject to the noted provisions:*
  - (1) *Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*
  - (2) *Accessory buildings; however, garages or other accessory buildings such as carports, porches, and stoops attached to the main building shall be considered part of the main building.*

*Sec. 90-202. - Permitted uses.*

*In the R-1 limited residential district, structures to be erected or land to be used shall be one or more of the following uses:*

- (1) *Single-family dwellings.*
- (2) *Schools.*
- (3) *Churches.*
- (4) *Parks and playgrounds.*
- (5) *Offstreet parking as required by this chapter.*
  - (6) ~~*Accessory buildings. However, garages or other accessory buildings, such as carports, porches and stoops, attached to the main building shall be considered part of the main building. No accessory building shall be closer than five feet to any property line.*~~
- (67) *Public utilities such as poles, lines, distribution transformers, pipes, meters, and other facilities necessary for the provision and maintenance including water and sewer facilities in accordance with a conditional use permit and provisions contained in this chapter.*
- (78) *Business signs erected only to advertise the sale or rent of the premises upon which erected.*
- (89) *Church bulletin boards and identification signs.*
- (910) *Nonbusiness directional signs.*

~~(104)~~ *Home occupations:*

- a. *Office.*
- b. *Home occupation child care.*

*Sec. 90-210. - Accessory uses and structures permitted.*

- (a) *In the R-1 limited residential district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*
- (b) *The following are considered accessory uses with the R-1 limited residential district, but are subject to the noted provisions:*
  - (1) *Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*
  - (2) *Accessory buildings. However, garages or other accessory buildings, such as carports, porches and stoops, attached to the main building shall be considered part of the main building.*

*Sec. 90-242. - Permitted uses.*

*In the R-2 limited residential district, structures to be erected or land to be used shall be for one or more of the following uses:*

- (1) *Single-family dwellings.*
- (2) *Two-family dwellings.*
- (3) *Schools.*
- (4) *Churches.*
- (5) *Parks and playgrounds.*
- (6) *Offstreet parking as required by this chapter.*
- (7) ~~*Accessory buildings. However, garages or other accessory buildings, such as carports, porches and stoops, attached to the main building shall be considered part of the main building. No accessory building may be closer than five feet to any property line.*~~
- (8) *Public utilities such as poles, lines, distribution transformers, pipes, meters, or other facilities necessary for the provision and maintenance, including water and sewer facilities.*
- (9) *Business signs only to advertise the sale or rent of the premises upon which erected.*
- ~~(10)~~ *Church bulletin boards and identification signs.*
- ~~(11)~~ *Nonbusiness directional signs.*
- ~~(12)~~ *Home occupations:*
  - a. *Office.*
  - b. *Home occupation child care.*

*Sec. 90-250. - Accessory uses and structures permitted.*

- (a) *In the R-2 limited residential district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*
- (c) *The following are considered accessory uses with the R-2 limited residential district, but are subject to the noted provisions:*
  - (1) *Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*
  - (2) *Accessory buildings. However, garages or other accessory buildings, such as carports, porches and stoops, attached to the main building shall be considered part of the main building.*

*Sec. 90-292. - Permitted uses.*

*In the R-3 general residential district, structures to be erected or land to be used shall be for one or more of the following uses:*

- (1) Single-family dwellings.*
- (2) Multiple-family dwellings.*
- (3) Tourist homes.*
- (4) Schools.*
- (5) Churches.*
- (6) Rest homes.*
- (7) General hospitals with a conditional use permit.*
- (8) Clubs and lodges with a conditional use permit.*
- (9) Parks and playgrounds.*
- (10) Home occupations:*
  - a. Office.*
  - b. Home occupation child care.*
- (11) Offstreet parking as required by this chapter.*

~~*(12) Accessory buildings. However, garages or other accessory structures, such as carports, porches, and stoops, attached to the main building, shall be considered part of the main building. No accessory building shall be closer than five feet to any property line.*~~
- ~~*(123) Public utilities such as poles, lines, distribution, transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewer facilities, in accordance with a conditional use permit and with other provisions contained in this chapter.*~~
- (134) Church bulletin boards and identification signs.*
- ~~*(145) Directional signs.*~~
- ~~*(156) Home occupation signs.*~~

*Sec. 90-300. - Accessory uses and structures permitted.*

- (a) In the R-3 general residential district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*
- (b) The following are considered accessory uses with the R-3 general residential district, but are subject to the noted provisions:*
  - (1) Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*
  - (2) Accessory buildings. However, garages or other accessory structures, such as carports, porches, and stoops, attached to the main building, shall be considered part of the main building.*

*Sec. 90-342. - Permitted uses.*

*In the mobile home residential district MHR, structures to be erected or land to be used shall be for one or more of the following uses:*

- (1) Mobile homes.*

~~*(2) Accessory buildings; provided, however, garages or other accessory buildings, such as carports, porches and stoops, attached to a mobile home shall be considered part of the mobile home. No accessory building may be closer than five feet to any property line.*~~
- ~~*(23) Public utilities such as poles, lines, distribution transformers, pipes, meters, or other facilities necessary for the provision and maintenance, including water and sewage facilities.*~~

(34) *Business signs only to advertise the sale or rent of the premises upon which erected.*

(45) *Nonbusiness directional signs.*

(56) *Home occupations:*

a. *Office.*

b. *Home occupation child care.*

*Sec. 90-350. - Accessory uses and structures permitted.*

(a) *In the MHR mobile home residential district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*

(b) *The following are considered accessory uses with the MHR mobile home residential district, but are subject to the noted provisions:*

(1) *Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*

(2) *Accessory buildings; provided, however, garages or other accessory buildings, such as carports, porches and stoops, attached to a mobile home shall be considered part of the mobile home.*

*Sec. 90-393. Uses and structures permitted by special exception.*

*In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:*

(37) *Small solar energy facility;*

(38) *Large-scale solar energy facility*

*90-398. - Accessory uses and structures permitted.*

(a) *In the B-1 general business district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*

(b) *The following are considered accessory uses within the B-1 general business district, but are subject to the noted provisions:*

(1) *Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*

*Sec. 90-443. Uses and structures permitted by special exception specified.*

*The following uses and structures are permitted by special exception in the M-1 limited industrial district:*

(5) *Small solar energy facility;*

(6) *Large-scale solar energy facility*

*Sec. 90-450. Accessory uses and structures permitted.*

(a) *In the M-1 limited industrial district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*

(b) *The following are considered accessory uses within the M-1 limited industrial district, but are subject to the noted provisions:*

(1) *Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*

*Sec. 90-493. Uses and structures permitted by special exception.*

*The following uses are permitted by special exception in the M-2 general industrial district:*

- (5) Small solar energy facility;*
- (6) Large-scale solar energy facility*

*Sec. 90-500. - Accessory uses and structures permitted.*

- (a) In the M-2 general industrial district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*
- (b) The following are considered accessory uses within the M-2 general industrial district, but are subject to the noted provisions:*
  - (1) Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*

*Sec. 90-542. - Permitted uses.*

*In the M-3 heavy industrial district, buildings to be erected or land to be used shall be for one or more of the following uses:*

- (18) Small solar energy facility*
- (19) Large-scale solar energy facility.*

*Sec. 90-551. - Accessory uses and structures permitted.*

- (a) In the M-3 heavy industrial district, accessory uses and structures are permitted as defined. No accessory structure may be closer than five feet to any property line.*
- (b) The following are considered accessory uses within the M-3 heavy industrial district, but are subject to the noted provisions:*
  - (1) Roof or ground mounted small solar energy facility or large-scale solar energy facility as defined by Sec. 90-1, provided that the solar facility only generates energy for that structure.*
  - (2) That this ordinance shall be effective immediately upon adoption.*

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**P-2. Public Hearing; FY18 Budget.** Mr. Percy Ashcraft, County Administrator, stated that the budget was proposed to the Board of Supervisors on February 28, 2017. The total County Budget proposed was \$113,650,448 which is 1.6 percent more than the Budget adopted for fiscal year 2017. The General Fund Budget was proposed at \$52,983,030, which is 1.5 percent more than the adopted amount for fiscal year 2017. The proposed budget includes 246 full-time and eight part-time positions. The budget called for no increase in the real estate tax rate of \$0.86 per \$100 of assessed value. The Personal Property and Machinery and Tools Tax Rates remained unchanged from FY 16-17 at \$4.25 and \$1.50 per \$100 of assessed valuation respectively. Under the General Fund, this proposal included the addition of a Case Worker in the Department of Social Services and funding a Planner I position for Community Development and Code Compliance. It also included removal of funding for a vacant Project Management Specialist in County Administration. It calls for a reclassification of one Human Resources employee, a 5% increase for health insurance, a new career development program for Fire and EMS, and a continuation for career development for the Police Department. This budget will meet funding requirements for the Public School Division by fully funding the Memorandum of Understanding

and meeting the school division's debt service obligations. This amount is \$15,813,565 which is a \$236,315 increase from FY2017. This budget also reduces the County's contributions for Riverside Regional Jail and Crater Youth Care Commission. The debt service as proposed is \$7,542,095 from the General Fund. The Board just approved a \$10 million issuance in new debt for FY2017 Capital Projects. General Fund expenditures included equipment and vehicles to the garage, Clerk of Court, and Information Technology. This budget also proposes four new vehicles for the Sheriff, general pool, and Parks and Recreation. Other Funds included a new full-time pretrial officer for Community Corrections and the elimination of a part-time pretrial officer. Economic Development will be fully funded by the Meals Tax and pays the debt service for the Exit 45 water system. Supported by the Lodging Tax will be the Regional Heritage Center, Petersburg Area Regional Tourism, and the Chamber of Commerce. There was a proposed increase of 10% in water rates and a 20% increase in sewer rates. The Public Utility is a self-supporting enterprise fund. The rate increases are needed to maintain existing utility systems and infrastructure, and to cover expected cost increases in sewer services purchased from the City of Hopewell. Mr. Ashcraft talked about the debt issuance for 2018, which will include police vehicles, public safety radio system, a boiler for Central Wellness Center, voting equipment, Crosspointe Utility Study, fuel station replacement, and Code Compliance software. The Board of Supervisors held three budget work sessions to discuss items included in the proposed FY2018 budget and to consider additions and changes. Public hearings and the adoption of tax and utility rates were held on April 11. Since then, the Board has made some adjustments to the Budget. On the revenue side, State Sales Tax revenue will increase by \$201,123 and anticipated state CSA At-Risk Youth Payments will increase by \$25,132 with projected increased expenditures. The total General Fund budget to be considered for adoption is expected to increase to \$53,209,285 with these changes. On the expenditures side, there were technical corrections, an increase in the Crater Youth Care Commission's budget, an MOU revision to the Schools due to the increased Sales Tax Revenue, the transfer to debt service revised upon closing of the Spring 2017 debt issuance, and the health insurance increase. In addition, there was an increase for CSA private student placements and foster care, other department needs, renovations to the Commonwealth Attorney's office to improve security, and an increase to the General Fund contingency. The total expenditure changes were \$226,255 and the revision to the total General Fund Budget was \$53,209,285 which is 1.89% over FY2017. The total proposed Budget of all funds is \$113,650,488 and the revised total budget of all funds is \$113,876,743. Adoption is being considered on May 9. Additional Revenue revisions may be required for Social Services and the Compensation Board shared costs. Chairman Robertson opened the public hearing at 8:09 p.m. There was no one to speak and the public hearing was closed.

**ORDER OF BUSINESS (cont'd)**

**A-1. Resolution; Authorizing the County Administrator to Accept Various Easements Related to the Lucas Restaurant Development.** Mr. Carmichael read a Conflict of Interest statement as follows: "As I have said in the past for this particular piece of property, I am currently employed with Perkinson Construction, Inc., and I make a salary that is over \$5,000 per year. Due to the fact that the company I work for was awarded a bid for work that will be taken on this site, I consider this a conflict of interest even though bid was awarded to the general contractor, it is the fact that they will be doing work on this site, I will excuse myself from this item and sit in the audience while the Board takes the matter over." (Mr. Carmichael left the dais.) Mr. Chip England, County Engineer, stated that Staff is requesting Board approval to allow the County Administrator to accept three easements related to the Luca's Restaurant Development. Luca Italian Restaurant proposes to expand the public sewer system by extending a gravity sewer line located in new public easements behind the Bank of Southside Virginia (6401 Courthouse Road) across the properties owned by Dennis Sebera and Thomas Buren, et al., in order to serve the new Luca Italian Restaurant site at 6411 Courthouse Road. Luca's will construct and install, or have constructed and installed, at its sole expense, an extension of the County wastewater system in accordance with plans and specification prepared by a registered professional engineer licensed to practice in the Commonwealth of Virginia. Upon satisfactory completion, such wastewater line extension shall become the property of the County and thereafter be operated and maintained by the County. Mr. Webb made a motion, seconded by Mr. Hunter, to approve the resolution as presented. Roll was called on the motion.

R-17-062

A-1.

RESOLUTION; AUTHORITY TO ACCEPT VARIOUS EASEMENTS  
RELATED TO LUCA'S RESTAURANT DEVELOPMENT:

DEED OF EASEMENT AND PARTIAL RELEASE between Jose L. PEDRAZA, party of the first part and Grantor herein; BRANCH BANKING & TRUST COMPANY OF VIRGINIA, a North Carolina banking corporation, Noteholder, party of the second part; BB&T-VA COLLATERAL SERVICES CORPORATION, Trustee, party of the third part, and COUNTY OF PRINCE GEORGE, VIRGINIA, a political subdivision of the Commonwealth of Virginia, party of the fourth part and Grantee herein.

DEED OF EASEMENT by and between Eleanor E. HARPER (a/k/a Eleanor O. HARPER); Carol O. HAMMOND, J. Thomas BUREN (a/k/a James Thomas BUREN); Nancy B. CROWELL, and Paige B. NUNN, individual tenants in common, ("Grantors"), and the COUNTY OF PRINCE GEORGE, VIRGINIA, a political subdivision of the Commonwealth of Virginia, ("Grantee")

DEED OF EASEMENT by and between Dennis W. SEBERA, ("Grantor") and the COUNTY OF PRINCE GEORGE, VIRGINIA, a political subdivision of the Commonwealth of Virginia, ("Grantee")

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25<sup>th</sup> day of April, 2017, does hereby authorize the County Administrator to accept these easements on behalf of the County of Prince George for extension of the County sewer system to provide wastewater service to the new Luca Italian Restaurant property.

On roll call the vote was:

In favor: (4) Hunter, Robertson, Skalsky, Webb

Opposed: (0)

Absent: (1) Carmichael

**ADJOURNMENT.** Mr. Carmichael 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) Carmichael, Hunter, Robertson, Skalsky, Webb

Opposed: (0)

Absent: (0)

The meeting adjourned at 8:14 p.m.

[Draft Minutes prepared May 4, 2017, for consideration on May 9, 2017; adopted by unanimous vote.]

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

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Percy C. Ashcraft  
County Administrator