

**AGENDA**  
Board of Supervisors  
County of Prince George, Virginia  
Regular Meeting: July 11, 2017  
County Administration Bldg. Boardroom, Third Floor  
6602 Courts Drive, Prince George, Virginia

**Regular Meeting**

**Work Session**  
**6:00 p.m.**

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

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

**CALL TO ORDER**

Roll Call

**CLOSED SESSION**

E-1. Resolution; Closed Session Motion with Topics and Code Section References to be Provided at Board Meeting.

E-2. Resolution; "Certification of Closed Session" Certifying that Only those Items Contained in the Closed Session Motion were Discussed.

**WORK SESSION**

Utility Revisions Related to Residential Growth in the Planning Area  
Discussion of Computer Lab at the Central Wellness Center  
Condition of Human Services Building HVAC System

**INVOCATION**

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

**PUBLIC COMMENTS**

**ADOPTION OF AGENDA**

**ORDER OF CONSENSUS**

C-1. Draft Minutes – June 13, 2017 Regular Meeting; June 16 Adjourned Meeting; and June 20 Adjourned Meeting.

C-2. Resolution; Commendation; Bryce Marsee; Attainment of Eagle Scout Award.

**PRESENTATIONS**

P-1. Resolution; Commendation; Cameron Patrick Philpot; Attainment of Eagle Scout Award.

P-2. Resolution; Commendation; Bryce Marsee; Attainment of Eagle Scout Award.

**SUPERVISORS' COMMENTS**

**COUNTY ADMINISTRATOR'S COMMENTS**

**REPORTS**

**VDOT** – Crystal Smith

**Sussex County Landfill** – Jason Williams, Waste Management  
**Condition of Human Services Building HVAC System** – George Poulson

**TABLED ITEMS**

**ORDER OF BUSINESS**

- A-1. Resolution; Authority to Execute Purchase Order with Southwood Building Systems for Providing Construction Services for the South Crater Road Rehabilitation Project.
- A-2. Resolution; Appropriation; (\$400,000 Police Vehicle Purchases).
- A-3. Resolution; Award of Contract and Budget Amendment and Appropriation (\$158,141 Garage Fuel Tanks, Software and Fuel Canopy Replacement Project).
- A-4. Discussion of Formal Process for Comcast Franchise Renewal.
- A-5. Resolution; Authority to Enter into the Regional Fire and EMS Mutual Aid Agreement.
- A-6. Resolution; Authority to Advertisement a Public Hearing for Recovery of Costs for Responding to False Alarms.
- A-7. Resolution: Budget Transfer (\$447,307.16 Capital Improvement Project Fund; Transfer from New CIP Project – New Fire Station Property Acquisition to Route 10 Fire Station Design & Construction).
- A-8. Resolution; FY17 -18 Position Control Chart.
- A-9. Discussion of Shared Water Agreement with the City of Petersburg for Property Located Near Rives Road.
- A-10. Discussion of Administration's Six-Month Work Plan.

**[ADDED] A-11. Approval of the Sale of the River's Edge Lagoon Property for a Minimum of \$5,050.**

**PUBLIC HEARINGS**

- P-1. Public Hearing; Tax Relief for Line of Duty.

**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

July 11, 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 5:02 p.m. on Tuesday, July 11, 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  
Hugh G. Mumford Present  
T. J. Webb Present

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

**CLOSED SESSION**

**E-1. Resolution; Closed Session for (1) discussion of the performance and disciplining of a specific public volunteer participating in the coordinated fire and EMS system pursuant to § 2.2-3711, (A)(1), Code of Virginia, 1950, as amended, and 82-83 OAG 726; and (2) consultation with legal counsel pertaining to probable litigation involving a tax dispute related to a refund for machinery and tools tax where such consultation would adversely affect the negotiating and litigating posture of the County pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended.** Mr. Carmichael made a motion, seconded by Mr. Webb that the Board convene closed session for (1) discussion of the performance and disciplining of a specific public volunteer participating in the coordinated fire and EMS system pursuant to § 2.2-3711, (A)(1), Code of Virginia, 1950, as amended, and 82-83 OAG 726; and (2) consultation with legal counsel pertaining to probable litigation involving a tax dispute related to a refund for machinery and tools tax where such consultation would adversely affect the negotiating and litigating posture of the County pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended.

R-17-082

E-1.

RESOLUTION; CLOSED SESSION FOR (1) DISCUSSION OF THE PERFORMANCE AND DISCIPLINING OF A SPECIFIC PUBLIC VOLUNTEER PARTICIPATING IN THE COORDINATED FIRE AND EMS SYSTEM PURSUANT TO § 2.2-3711, (A)(1), CODE OF VIRGINIA, 1950, AS AMENDED, AND 82-83 OAG 726; AND (2) CONSULTATION WITH LEGAL COUNSEL PERTAINING TO PROBABLE LITIGATION INVOLVING A TAX DISPUTE RELATED TO A REFUND FOR MACHINERY AND TOOLS TAX WHERE SUCH CONSULTATION WOULD ADVERSELY AFFECT THE NEGOTIATING AND LITIGATING POSTURE OF THE COUNTY PURSUANT TO § 2.2-3711 (A)(7), CODE OF VIRGINIA, 1950, AS AMENDED

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017, does hereby vote to enter closed session for (1) discussion of the performance and disciplining of a specific public volunteer participating in the coordinated fire and EMS system pursuant to § 2.2-3711, (A)(1), Code of Virginia, 1950, as amended, and 82-83 OAG 726; and (2) consultation with legal counsel pertaining to probable litigation involving a

tax dispute related to a refund for machinery and tools tax where such consultation would adversely affect the negotiating and litigating posture of the County pursuant to § 2.2-3711 (A)(7), Code of Virginia, 1950, as amended.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**E-2. Resolution; Certification of Closed Session.** At 6:05 p.m., Mr. Webb 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 Robertson 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-17-082A

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 11<sup>th</sup> day of July, 2017 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: (4) Robertson, Hunter, Carmichael, Webb, Mumford

Opposed: (0)

**WORK SESSION**

Mr. Mark Woodcock, and Mr. George Poulson gave an overview of the condition of the Human Services Building HVAC System. A proposal with options was presented to the Board for consideration. At least five (5) bas heat pump units were identified. Board recommends that five (5) heat pumps are replaced and evaluation performed. The Board will add to the 7 pm agenda for public discussion and vote.

Ms. Julie Walton, Dickie Thompson and Steve Micas presented possible utility revisions related to residential growth in the planning area. The Board will review documents.

Ms. Kirsten Cherry presented the possibility of a computer lab at the Central Wellness Center. The Board consensus is for Staff to move forward with planning and grants.

Chairman Robertson called a recess at 6:45 p.m. The meeting reconvened at 7:00 p.m.

**Invocation.** Mr. Hunter gave an invocation.

**Pledge of Allegiance to U.S. Flag.** Eagle Scouts Cameron Philpot and Bryce Marsee 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. There was no one to speak so the public comments period was closed.

**APPROVAL OF AGENDA.** Mr. Hunter added Item Chairman Robertson changed Item A-12 as Discussion on the HVAC System for the Human Services Building. Mr. Carmichael made a motion, seconded by Mr. Webb, to adopt the agenda as amended. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

C-1. Draft Minutes – June 13, 2017 Regular Meeting; June 16 Adjourned Meeting; and June 20 Adjourned Meeting were approved as presented.

R-17-083

C-2.

**RESOLUTION; COMMENDATION; BRYCE MARSEE; ATTAINMENT OF EAGLE SCOUT AWARD**

WHEREAS, Bryce Marsee of Boy Scout Troop 900 began his Scouting career in Pack 910 at Gregory Memorial Church in 2008 as a Tiger Cub; and

WHEREAS, While in Cub Scouts, Bryce earned Cub Scouting's highest award, the Arrow of Light. It's the only award a former Cub Scout can wear on his Boy Scout uniform; and

WHEREAS, As a member of Boy Scout Troop 900, Bryce has served as assistant patrol leader, patrol leader, assistant senior patrol leader, senior patrol leader, quartermaster, troop trainer, Order of the Arrow Troop rep and den chief to Pack 910; and

WHEREAS, Bryce is also a member of the Order of the Arrow- Boy Scout's honor society for scouts who exemplify the Scout Oath and Scout Law in their daily lives. He has completed 13 Eagle Scout Merit badges and 22 other merit badges; and

WHEREAS, Bryce has committed to thousands of hours of service time and was able to attend the National Order of the Arrow Conference at Michigan State University in 2016. He has been awarded the gold Presidential Service award this past year for all of his hard work.

WHEREAS, As an Eagle project, Bryce put mile markers in quarter mile increments and directional markers for 3 different one mile trails at the Appomattox River Regional Park in Prince George, Virginia; and

WHEREAS, Bryce is active in various community services activities. Bryce is a member of St. Joseph's where he is the master of ceremonies. He is an avid fisherman and plays golf on the Prince George High School team; and

WHEREAS, Bryce's career aspiration is to be in the medical field. He will start dual enrollment with Richard Bland College this year as a Junior at Prince George High School and once he graduates he will continue on with Richard Bland to finish his Associates Degree; and

WHEREAS, Bryce Marsee's dedicated, conscientious participation and leadership in community and humanitarian activities are recognized and saluted.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017, hereby commends and congratulates Bryce Marsee on attainment of the rank of Eagle Scout in the Boy Scouts of America; and

BE IT FURTHER RESOLVED That this Board wishes Bryce Marsee much success and happiness as he pursues his future goals.

On roll call the vote was:

In favor: (4) Carmichael, Hunter, Robertson, Webb, Mumford

Opposed: (0)

Absent (0)

### **PRESENTATIONS**

**P-1. Resolution; Commendation; Cameron Patrick Philpot; Attainment of Eagle Scout Award.** Mr. Hunter presented the commendation to Cameron in the presence of his Troop and family.

**P-2. Resolution; Commendation; Bryce Marsee; Attainment of Eagle Scout Award.** Mr. Hunter presented the commendation to Bryce in the presence of his Troop and family.

### **SUPERVISORS' COMMENTS**

Mr. Carmichael congratulated the Eagle Scouts.

Mr. Webb echoed Mr. Carmichael's comments and sent out his thoughts and prayers to the family of J. R. Johnson.

Mr. Hunter asked everyone to keep Chief Edward Frankenstein in their thoughts and prayers.

Chairman Robertson welcomed new Supervisor Hugh Mumford.

Mr. Mumford thanked the Department Heads for meeting with him and getting him up to speed on County business.

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

Mr. Ashcraft stated that 'Battle Ready: The Quartermaster Mission in World War I' will be on display on July 12 at the US Army Quartermaster Museum. The Prince George Citizens Academy will meet on July 13 at 6 p.m. at the Prince George Courthouse. Parks & Recreation Movie Night (Moana) will be on July 15 at 8:30 p.m. at Scott Park. The Prince George Farmers Market continues on July 15, 22 & 29, 8:00 a.m. to 12:00 Noon at Scott Park. Warrior Boot Camp will coincide with the Farmer's Market on July 15 & 29 at 8:30 a.m. at Scott Park. The Founder's Day Celebration will be on July 15 from 4 to 7 p.m. at the Old Courthouse Lawn. The Prince George Promise Annual Meeting will be on July 21 at 2 p.m. at the Prince George Library. Prince George TRIAD will meet on July 24 at 1 p.m. at the Prince George Library. Filing for Real Estate Tax Relief for the Elderly & Disabled deadline will be on August 1 at 5 p.m. Deadline in the Commissioner of the Revenue's Office. National Night Out will be on August 1 from 5 to 9 p.m. at 36 Locations throughout the County. Bank of McKenney announces merger with Citizens Community Bank; headquarters still planned for Crossings Boulevard. County Government is mourning the passing of Jennifer Jackson, Real Estate Technician in the Assessor's Office. The Commonwealth Transportation Board (CTB) will meet July 19 to decide on right in-right out proposal in front of Colonial Harley Davidson. Container First Services will underwrite 'Clean Community' events as part of its agreement. The Summer Cooling Assistance Program is now accepting applications at [www.commonhelp.virginia.gov](http://www.commonhelp.virginia.gov). Prince George resident Tracy Taliaferro named Chief Executive Officer of Crater Community Hospice. Applications are now being considered to fill the Director of General Services position; and the position of Director of Engineering & Utilities has been re-opened until filled after no recommendation was made by Staff after the first round of applications were received. The Prince George School Board voted Monday night to implement the 10-point grading scale beginning this fall.

### **REPORTS**

**VDOT** – Ms. Crystal Smith stated that they are currently working on Horseshoe Road as part of routine maintenance. They have started their second round of trash pickup and mowing operations for both primaries and secondaries. They have completed pulling shoulders on all of the primaries in Prince George County and they plan to start on some of the major secondaries. State forces are now focusing on ditches and drainage complaints from citizens. Crews are planning to close Upper Brandon late next week for a pipe replacement. There will be a detour set up for that. Route 460 and Enterprise Drive is moving forward. They have started paving operations and shoulder work. They plan to complete on time in August. Route 106 is expected to start soon. The Route 460 paving project will begin mid-August. The River Road project is moving forward. They are currently working with the railroad company to designate right-of-

way. They are also currently working on the contract for the rumblestrips on Route 10. The Department has done a lot of studies on the Harley-Davidson site and they are recommended to the Commonwealth Transportation Board for approval. Mr. Carmichael discussed the continued problem of site distance coming onto Rives Road from the Interstate. He also asked for a speed reduction at the intersection of Courthouse and Bull Hill until the dogbone is constructed.

**Sussex County Landfill**- Mr. Jason Williams of Waste Management gave a brief update on the cap phasing plan at the Sussex County Landfill. He is happy to report that the Phase IV cap was completed on June 30 resulting in a dramatic decrease in odor complaints. They are continuing to fine tune the well field and gas system to improve their collection efficiency and are currently in the process of proactively capping the Phase III area. That is expected to be completed by the end of the year.

### **PUBLIC HEARINGS**

**P-1. Public Hearing; Tax Relief for Line of Duty.** County Attorney, Steve Micas, stated that the General Assembly approved legislation that allows the county, as of July 1, 2017, to offer a real estate tax exemption for the surviving spouses of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel who is killed in the line of duty. This exemption mirrors the real estate tax exemption for the surviving spouse of a disabled veteran or veteran killed in the line of duty. The tax exemption ends if the surviving spouse remarries. The exemption applies regardless of when the spouse was killed in the line of duty, but only applies to those real property taxes due after January 1, 2017. The tax exemption applies to the surviving spouse's principal place of residence, even if he or she moves to a new principal place of residence. The exemption does not require the surviving spouse to have been residing in the Commonwealth at the time his or her spouse was killed in the line of duty. Prince George County is not liable for any interest on any refund due to the surviving spouse for taxes paid prior to the surviving spouse's filing of the affidavit or written statement as part of the application to obtain the tax exemption. Chairman Robertson opened the public hearing at 7:40 p.m. There was no one to speak and the public hearing was closed. Mr. Hunter made a motion, seconded by Mr. Mumford, to approve the special exception as presented. Roll was called on the motion.

O-17-10

P-1.

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 Division 2 – Exemptions for Elderly and Disabled, as follows:

#### **DIVISION 2. - EXEMPTIONS FOR ELDERLY, DISABLED, AND SURVIVING SPOUSES OF CERTAIN PERSONS KILLED IN THE LINE OF DUTY**

Sec. 74-221. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Average assessed value* shall be such average for all dwellings located within the county that are situated on property zoned as single-family residential.

*Beneficiary* means the spouse of a deceased person and such persons as are entitled to take under the will of a deceased person if testate, or as his heirs at law if intestate.

*Covered person* means any deceased person, as defined by Virginia Code § 9.1-400, and as set forth in this section, whose beneficiary, as defined by Virginia Code § 9.1-400, and as set forth in this section, is entitled to receive benefits under Virginia Code § 9.1-402, as determined by the Comptroller prior to July 1, 2017, or as determined by the Virginia Retirement System on and after July 1, 2017.

*Deceased person* means any individual whose death occurs on or after April 8, 1972, in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under Virginia Code §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, as a law-enforcement officer of the Commonwealth or any of its political subdivisions; a correctional officer as defined in Virginia Code § 53.1-1; a jail officer; a regional jail or jail farm superintendent; a sheriff, deputy sheriff, or city sergeant or deputy city sergeant of the City of Richmond; a police chaplain; a member of any fire company or department or emergency medical services agency that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town; a member of any fire company providing fire protection services for facilities of the Virginia National Guard; a member of the Virginia National Guard or the Virginia Defense Force while such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty or federal duty under Title 32 of the United States Code; any special agent of the Virginia Alcoholic Beverage Control Board; any regular or special conservation police officer who receives compensation from a county, city, or town or from the Commonwealth appointed pursuant to the provisions of Virginia Code § 29.1-200; any commissioned forest warden appointed under the provisions of Virginia Code § 10.1-1135; any member or employee of the Virginia Marine Resources Commission granted the power of arrest pursuant to Virginia Code § 28.2-900; any Department of Emergency Management hazardous materials officer; any other employee of the Department of Emergency Management who is performing official duties of the agency, when those duties are related to a major disaster or emergency, as defined in Virginia Code § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with Virginia Code § 44-146.28; any employee of any county, city, or town performing official emergency management or emergency services duties in cooperation with the Department of Emergency Management, when those duties are related to a major disaster or emergency, as defined in Virginia Code § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with Virginia Code § 44-146.28 or a local emergency, as defined Virginia Code in § 44-146.16, declared by a local governing body; any nonfirefighter regional hazardous materials emergency response team member; any conservation officer of the Department of Conservation and Recreation commissioned pursuant to Virginia Code § 10.1-115; or any full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to Virginia Code § 46.2-217.

*Eligible person* means a person who is at least age 65 or permanently and totally disabled. The term does not include any interest held under a leasehold or term of years.

*Net combined financial worth* means all assets of the owners of the dwelling who reside therein and of any relative of the owner who resides in the dwelling, including equitable interests, excluding the value of the dwelling and the land, in an amount not to exceed five acres upon which it is situated.

*Permanently and totally disabled* means unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

*Total combined income* means gross income from all sources of the owners of the dwelling residing therein and of any relatives of the owner who reside in the dwelling.

Sec. 74-221.1. - Exemption for disabled veterans.

The real property, including the joint real property of husband and wife, of any veteran who has been rated by the U. S. Department of Veterans Affairs or its successor agency pursuant to federal law to have a 100 percent service-connected, permanent, and total disability, and who occupies the real estate as his principal place of residence shall be exempt from taxation without regard to total combined income or net worth for such principal residence and the land in an amount not to exceed five acres on which it is situated. The surviving spouse of a veteran eligible for the exemption set forth in this article shall also qualify for this exemption so long as the death of the veteran occurs on or after January 1, 2011, the surviving spouse does not remarry, and the surviving spouse continues to occupy the real property as his principal place of residence.

Sec. 74-222. - Eligibility for exemption for eligible person.

- (a) Any eligible person not less than 65 years of age as of the last day of the immediately preceding taxable year or any person under 65 years of age who has been determined to be permanently and totally disabled on the last day of the immediately preceding taxable year, who owns or partially owns a dwelling or mobile home as the sole dwelling of that person, shall be eligible for, and may apply for, an exemption of real estate taxes on such dwelling or mobile home and the land, in an amount not to exceed five contiguous acres on which it is situated, provided that:
  - (1) The total combined income during the immediately preceding year shall not exceed \$45,000.00. The following scale shall apply: on such combined income amounts of from \$0.00 to \$28,000.00, the exemption shall be 100 percent; and on such combined income amounts of \$28,001.00 to \$45,000.00, the exemption shall be 50 percent.
  - (2) The net combined financial worth, as of December 31 of the immediately preceding year, cannot exceed \$120,000.00.
- (b) The total combined income applicable in this section includes the income of:
  - (1) The owners of the dwelling who use it as their principal residence;
  - (2) The owners' relatives who live in the dwelling, except for those relatives living in the dwelling and providing bona fide caregiving services to the owner, whether such relatives are compensated or not; and
  - (3) Non-relatives of the owner who live in the dwelling except for bona fide tenants or bona fide caregivers of the owner, whether compensated or not.
- (c) Real property owned and occupied as the sole dwelling of an eligible person or two or more individuals includes real property:
  - (1) Held by the eligible person alone, in conjunction with his spouse, or in conjunction with one or more other people as tenant or tenants for life or joint lives;
  - (2) Held in a revocable inter vivos trust over which an eligible person alone, with his spouse, or with one or more other people hold the power to revocation; or
  - (3) Held in an irrevocable trust under which an eligible person alone, in conjunction with his spouse, or in conjunction with one or more other person possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support.

Sec. 74-223. - Violations.

Any person falsely claiming an exemption pursuant to this division shall be guilty of a misdemeanor.

Sec. 74-224. - Application for exemption for eligible person; affidavit.

- (a) Application for exemption provided for in this division shall be made from January 1 through February 15 of each year for which exemption is sought to the commissioner of the revenue on forms to be provided by the commissioner. The application shall be accompanied by an affidavit, setting forth the names of all persons occupying such dwelling and stating that the total combined income and the net combined financial worth do not exceed the limitations set forth in subsections 74-222(1) and (2). The commissioner may require an applicant to answer questions under oath, as to the commissioner's requirements under this division, and to produce for inspection certified federal income tax returns for the preceding three years to establish the total combined income or net combined financial worth.
- (b) Any person permanently and totally disabled shall attach to his application a certification by the Social Security Administration, the department of veterans affairs or the railroad retirement board or, if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors who are either licensed to practice medicine in the commonwealth or are military officers on active duty who practice medicine with the United States armed forces, to the effect that the person is permanently and totally disabled, as defined in Code of Virginia, § 58.1-3217; however, a certification pursuant to 42 USC 423(d) by the Social Security Administration so long as the person remains eligible for such social security benefits shall be deemed to satisfy such definition in Code of Virginia, § 58.1-3217. The affidavit of at least one of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the civil service commission which is relevant to the standards for determining permanent and total disability as defined in Code of Virginia, § 58.1-3217.
- (c) Any disabled veteran or surviving spouse claiming the service-connected exemption shall file with the commissioner of the revenue an affidavit or written statement (i) setting forth the name of the disabled veteran and the name of the spouse; if any, also occupying the real property, (ii) indicating whether the real property is jointly owned by a husband and wife, and (iii) certifying that the real property is occupied as the veteran's principal place of residence. The veteran shall also provide documentation from the U. S. Department of Veterans Affairs or its successor agency indicating that the veteran has a 100 percent service-connected, permanent, and total disability. The veteran or spouse shall refile the information required only if the veteran or spouse's principal place of residence changes. In the event of a surviving spouse of a veteran claiming the exemption, the surviving spouse shall also provide documentation that the veteran's death occurred on or after January 1, 2011.
- (d) The commissioner of the revenue shall have authority to accept late applications from individuals who have filed in the previous year and who have failed to apply by the February 15 deadline of the current year, for good cause shown.

Sec. 74-225. - Changes in ownership, income or financial worth for eligible person.

Any change in respect to total combined income, net combined financial worth, ownership of the dwelling exempted or other factors which occur during the taxable year for which the affidavit is filed, and which has the effect of exceeding or violating the limitations and conditions of this division, shall nullify any exemption for the remainder of the current taxable year and the taxable year immediately following.

Sec. 74-226. - Amount of exemption for eligible person.

Real estate described in section 74-222 shall be exempt from 100 percent of real estate taxes under the provision of this division for any year in which proper application is made, provided that if the ownership of the property for which application for exemption is made is not held solely by the applicant or jointly with the applicant's spouse, the amount of the tax exemption under this division shall be in proportion to the applicant's ownership interest in the subject real property, as that ownership interest may appear.

Sec. 74-227. - Certification to treasurer by eligible person.

The commissioner of the revenue shall certify to the treasurer annually those persons who qualify under this division for an exemption and the amount thereof. The treasurer shall deduct the amount of the exemption from the applicant's real estate tax bill for that year.

Sec. 74-228. – Exemption from taxes on property of surviving spouses of certain persons killed in the line of duty.

- (a) Any covered person who occupies real property as his or her principal place of residence shall qualify for a real estate tax exemption, provided that the requirements of Virginia Code §§ 58.1-3219.14-58.1-3219.16 are met, as well as the following conditions:
1. The surviving spouse claiming the exemption shall file with the Prince George Commissioner of the Revenue:
    - a. The form supplied by Prince George County with an affidavit or written statement:
      - i. Setting forth the surviving spouse's name,
      - ii. Indicating any other joint owners of the real property,
      - iii. Certifying that the real property is occupied as the surviving spouse's principal place of residence, and
      - iv. Including evidence of the determination of the Comptroller or the Virginia Retirement System pursuant to Virginia Code § 58.1-3219.14(A);
    - b. Documentation that he or she is the surviving spouse of a covered person; and
    - c. The date that the covered person died.
  2. The surviving spouse does not remarry; and
  3. The residence has an assessed value in the most recently ended tax year that is not in excess of the average assessed value for such year of a dwelling situated on property that is zoned as single-family residential. If the value of a residence is in excess of the average assessed value, then only that portion of the assessed value in excess of the average assessed value shall be subject to real property taxes as set forth in paragraph D of this section.

Prince George County shall not be liable for any interest on any refund due to the surviving spouse for taxes paid prior to the surviving spouse's filing of the affidavit or written statement as required by paragraph A.

The surviving spouse shall only be required to file the information required by paragraph A of this section once. However, the surviving spouse shall be required to refile the information required by paragraph A only if the surviving spouse's principal place of residence changes.

- (b) The surviving spouse shall promptly notify the Commissioner of Revenue of any remarriage.
- (c) If the covered person's death occurred on or prior to January 1, 2017, and the surviving spouse has a principal residence on January 1, 2017, eligible for the exemption under this section, then the exemption for the surviving spouse shall begin on January 1, 2017. If the

covered person's death occurs after January 1, 2017, and the surviving spouse has a principal residence eligible for the exemption under this section on the date that such covered person dies, then the exemption for the surviving spouse shall begin on the date that such covered person dies. If the surviving spouse acquires the property after January 1, 2017, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to Virginia Code § 58.1-3360.

- (d) If the value of a dwelling is in excess of the average assessed value, then only that portion of the assessed value in excess of the average assessed value shall be subject to real property taxes, and the portion of the assessed value that is not in excess of the average assessed value shall be exempt from real property taxes. Single-family homes, condominiums, town homes, manufactured homes as defined in Virginia Code § 46.2-100 whether or not the wheels and other equipment previously used for mobility have been removed, and other types of dwellings of surviving spouses, whether or not the land on which the single-family home, condominium, town home, manufactured home, or other type of dwelling of a surviving spouse is located is owned by someone other than the surviving spouse, that:

1. meet this requirement, and
2. are occupied by such persons as their principal place of residence shall qualify for the real property tax exemption.

If the land on which the single-family home, condominium, town home, manufactured home, or other type of dwelling is located is not owned by the surviving spouse, then the land is not exempt.

- (e) The exemption from real property taxes provided by this section shall apply to:
1. the qualifying dwelling, or that portion of the value of such dwelling and land that qualifies for the exemption pursuant to Virginia Code § 58.1-3219.14(B), and
  2. ~~with the exception of land not owned by the surviving spouse,~~ the land, not exceeding ~~one~~ five acres, upon which it is situated.
- (f) The exemption permitted by this section shall apply to the same number of acres as Prince George County offers for elderly and disabled persons.
- (g) A real property improvement other than a dwelling, including the land upon which such improvement is situated, made to such one acre or greater number of acres exempt from taxation pursuant to this section shall also be exempt from taxation so long as the principal use of the improvement is:
1. to house or cover motor vehicles or household goods and personal effects as classified in Virginia Code § 58.1-3503(A)(14) and as listed in Virginia Code § 58.1-3504, and
  2. for other than a business purpose.
- (h) For purposes of the exemption provided by this section, real property of any surviving spouse of a covered person includes real property:
1. held by a surviving spouse as a tenant for life,
  2. held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or
  3. held in an irrevocable trust under which the surviving spouse possesses a life estate or enjoys a continuing right of use or support.

Such real property does not include any interest held under a leasehold or term of years.

(i) In the event that:

1. a surviving spouse is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in paragraph H and
2. one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction the numerator of which is 1 and the denominator of which equals the total number of people having an ownership interest that permits them to occupy the property.

In the event that the principal residence is jointly owned by two or more individuals including the surviving spouse, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection E, then the exemption shall be prorated by multiplying the amount of the exemption by a fraction the numerator of which is the percentage of ownership interest in the dwelling held by the surviving spouse and the denominator of which is 100.

Secs. 74-229—74-260. - Reserved.

(2) *That this Ordinance shall be effective for tax years beginning on or after January 1, 2017.*

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

### **ORDER OF BUSINESS**

**A-1. Resolution; Authority to Execute Purchase Order with Southwood Building Systems for Providing Construction Services for the South Crater Road Rehabilitation Project.** Mr. Dickie Thompson, Interim Utilities Director, stated that staff is requesting Board approval to allow County Administrator to issue a Purchase Order to Southwood Building Systems for a lump sum fee of \$929,600.00 to provide construction of the South Crater Road Sewer Rehabilitation Project in accordance with the scope of work and the terms and conditions of the County's contract with Southwood Building Systems (Invitation For Bid #17-0505-1). The project involves the installation of a new building structure, pumps, controls, SCADA and emergency backup generator. This project will significantly improve pump station performance, employee safety and operation/maintenance of the new sewer station. The contractor's bid also includes repairs to three sewer force main air relief valves on the discharge piping from the sewer pump station. The funding for this project will come from the remaining balance of \$931,744.30 from the 2015 bond proceeds for sewer rehabilitation improvements. With the Board's approval, County Administrator, the Interim Director of Engineering and Utilities, and the Director of Finance will follow the County's standard purchase order requisition process and begin this project as soon as possible. After a few brief questions regarding the construction company, Mr. Webb made a motion, seconded by Mr. Carmichael, to approve the resolution as presented. Roll was called on the motion.

R-17-084

A-1.

### **RESOLUTION; AUTHORITY TO EXECUTE PURCHASE ORDER WITH SOUTHWOOD BUILDING SYSTEMS FOR PROVIDING CONSTRUCTION SERVICES FOR THE SOUTH CRATER ROAD REHABILITATION PROJECT**

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017, does hereby approve the County Administrator to execute a purchase order for this project.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-2. Resolution; Appropriation; (\$400,000 Police Vehicle Purchases).** Ms. Betsy Drewry, Finance Director, stated that as part of the fiscal year 2018 adopted budget, the County included \$400,000 of debt issuance for the purchase of Police vehicles. Vehicle replacements purchases have been recommended at a rate of 10 vehicles each year over the course of the next three years (years 1 and 2 complete FY2016 and FY2017). This will refresh the entire fleet over the course of five years and if repeated every year thereafter, will continuously keep the fleet in a five year replacement cycle. The purchase of the 10 Police vehicles is estimated to cost just under \$400,000. The vehicles will be purchased from the state contract. The purchase of two vehicles for the Sheriff’s Department is planned through the FY2018 operating budget and these vehicles are not included in this agenda item or appropriation. An appropriation of the funds and a reimbursement resolution are presented for the Board’s consideration and approval. The reimbursement resolution is needed in order for the County to issue the debt in the spring of 2018 and reimburse the County for the purchase being made. Mr. Carmichael made a motion, seconded by Mr. Hunter, to approve the appropriation resolution as presented. Roll was called on the motion.

R-17-085

A-2.

**RESOLUTION; APPROPRIATION (\$400,000 POLICE VEHICLE PURCHASE)**

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017, does hereby authorize the following increase of funds within the 2017-2018 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>Expenditure:</u>		
0311-03-100-3103-48105-3103	Police Vehicle Replacement	\$400,000
 <u>Revenue:</u>		
0311-40-900-8115-341401	Debt Proceeds	\$400,000

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

R-17-085A

A-2.

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

WHEREAS, the Board of Supervisors (the "Board") of the County of Prince George, Virginia (the "County") has previously determined to undertake the Purchase of 10 Public Safety (Police) Vehicles (the "Purchase");

WHEREAS, the Board currently expects that the cost of the Purchase, excluding the costs of the financing thereof, will be approximately \$400,000;

WHEREAS, the Board currently expects to incur long-term indebtedness in an amount now estimated at \$400,000 to pay a portion of the costs of the Purchase, which indebtedness may take the form of tax-exempt bonds or other types of debt; the proceeds of such indebtedness may be used either for paying costs of the Purchase directly or for repaying other indebtedness previously incurred for the Purchase or for a combination of such purposes; and

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

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

1. The County intends to utilize the proceeds of tax-exempt bonds or notes (the “Bonds”) or to incur other debt to pay Purchase costs in an amount not currently expected to exceed \$400,000.
2. The County intends that the proceeds of the Bonds be used to pay or reimburse the County for the payment of Expenditures made after the date of this Resolution or made within 60 days prior to the date of this Resolution or Expenditures which are incurred for certain preliminary costs such as architectural, engineering, surveying, soil testing, bond issuance expenses and the like. The County reasonably expects on the date hereof that it will pay or reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, or (c) a nonrecurring item that is not customarily payable from current revenues.
4. The County intends to make a reimbursement allocation, which is a written allocation by the County that evidences the County’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Purchase is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, and certain de minimis amounts.
5. The Board intends that the adoption of this Resolution confirms the “official intent” of the County within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.
6. The County Administrator and other officers of the County are hereby authorized and directed to take such actions, in consultation with the County’s counsel, as may be necessary or desirable to implement the planning and structuring of the Bonds, including but not limited to negotiations with lenders or investment bankers for the Bonds, the selection of bond counsel to supervise the issuance of such Bonds and the engagement of such other professionals as may be necessary or desirable to assist the County in this process, but such officers shall not obligate the County on such Bonds without further approval by the Board.
7. This Resolution shall take effect immediately upon its passage.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-3. Resolution; Award of Contract and Budget Amendment and Appropriation (\$158,141 Garage Fuel Tanks, Software and Fuel Canopy Replacement Project).** Ms. Drewry stated that as part of the fiscal year 2018 adopted budget and CIP Plan, a project was included to replace the fuel pumps, software system and fuel canopy at the County

Garage. The original project estimate when submitted in 2014 was \$83,000. The project scope was refined and IFB #17-0407-1 was issued on April 7, 2017 with a May 18, 2017 close date and one addendum. A mandatory pre-bid meeting was held on April 26, 2017 with pre-bid meeting responses and clarifications following the pre-bid meeting. One response was received from Oil Equipment Sales and Service Company, Incorporated (OESSCO). The base bid received was \$136,364 with added pricing of \$26,777 for containment sump work. The grand total of the original bid was \$163,141. A meeting was held with OESSCO on June 7, 2017 to discuss the necessity of completing sump work, pricing, and to consider reducing the size of the canopy. Following that meeting, revised pricing was received. Revised pricing reducing the size of the canopy to 24' X 36' (from 36' X 42') is \$158,141 including all sump work pricing. It is the expert opinion of the OESSCO representative that the sump work is needed to meet DEQ requirements. Staff recommends completion of all work (including sump work to meet DEQ requirements). Additionally, staff recommends that the project be awarded to OESSCO at a price of 158,141, reducing the canopy size to 24' X 36'. After the Board asked Mr. George Poulson, General Services Director, questions regarding OESSCO, Mr. Webb made a motion, seconded by Mr. Hunter, to approve the appropriation resolution as presented. Roll was called on the motion.

R-17-086

**RESOLUTION; AWARD OF CONTRACT AND BUDGET AMENDMENT AND APPROPRIATION (\$158,141 GARAGE FUEL TANKS, SOFTWARE AND FUEL CANOPY REPLACEMENT PROJECT)**

WHEREAS, On April 7, 2017 a Request for Proposals was advertised by the Finance Department to obtain pricing for the replacement of Fuel Tanks, Software and the Fuel Canopy at the County Garage. The bid closed on May 18, 2017 with one response from OESSCO (Oil Equipment Sales and Service Company, Incorporated) in the amount of \$163,141 (base pricing of \$136,364 plus \$26,777 in add-ons the vendor considered necessary to meet DEQ requirements). Following the bid closing, an alternate price was requested from OESSCO which reduced size of the canopy to 24' X 36' (from 36' X 42'). That reduced alternate pricing is \$158,141; and

WHEREAS, \$158,141 will be available with the spring 2018 bond issuance for the Garage Fuel Tank, Software and Fuel Canopy Replacement Project; and

WHEREAS, Staff is requesting authorization for the County Administrator to enter into a contract with OESSCO in the amount of \$158,141 to move forward with the Garage Fuel Tank, Software and Fuel Canopy Replacement Project.

NOW, THEREFORE, BE IT RESOLVED That the Board of the Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017, hereby awards the bid for the Garage Fuel Tank, Software and Fuel Canopy Replacement Project to OESSCO in the amount of \$158,141; AND BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017, does hereby authorize and appropriate the following increase of funds within the 2017-2018 Budget, such line items increased as follows, which monies shall be expended for

purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Capital Improvement Fund (0311)</u>	
Revenues:	
0311-40-900-8115-341401	Debt Proceeds \$158,141
Expenditures:	
0311-01-002-3166-48130	CIP – Garage Fuel Tank, Software and Fuel Canopy Replacement Project \$158,141

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

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

R-17-086A

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

WHEREAS, the Board of Supervisors (the "Board") of the County of Prince George, Virginia (the "County") has determined to undertake a capital improvement project to provide and install fuel tanks and software at the County Garage and to replace the fuel canopy (the "Purchase");

WHEREAS, the Board currently expects that the cost of the Purchase, excluding the costs of the financing thereof, will be approximately \$158,141;

WHEREAS, the Board currently expects to incur long-term indebtedness in an amount now estimated at \$158,141 to pay a portion of the costs of the Purchase, which indebtedness may take the form of tax-exempt bonds or other types of debt; the proceeds of such indebtedness may be used either for paying costs of the Purchase directly or for repaying other indebtedness previously incurred for the Purchase or for a combination of such purposes; and

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

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

1. The County intends to utilize the proceeds of tax-exempt bonds or notes (the "Bonds") or to incur other debt to pay Purchase costs in an amount not currently expected to exceed \$158,141.

2. The County intends that the proceeds of the Bonds be used to pay or reimburse the County for the payment of Expenditures made after the date of this Resolution or made within 60 days prior to the date of this Resolution or Expenditures which are incurred for certain preliminary costs such as architectural, engineering, surveying, soil testing, bond issuance expenses and the like. The County reasonably expects on the date hereof that it will pay or reimburse the Expenditures with the proceeds of the Bonds or other debt.

3. Each Expenditure will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, or (c) a nonrecurring item that is not customarily payable from current revenues.

4. The County intends to make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Purchase is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, and certain de minimis amounts.

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

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

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

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-4. Discussion of Formal Process for Comcast Franchise Renewal.** Mr. Jeff Stoke, Deputy County Administrator, stated that on February 7, 1995, Prince George County, fully entered into a Community Antenna Television Franchise Agreement via ordinance with Tele-Media Company of Hopewell/Prince George and its successors (now Comcast). The subject agreement expires February 6, 2020. On May 3, 2017, Comcast notified the County of the formal renewal procedure possible under federal law. Staff is recommending initiation of the formal process through Section 626 of the Cable Communications Policy Act of 1984 before August 6, 2017. Either party may initiate the formal process by delivering a notice to the other party, no later than 30 months (August 6, 2017) before the expiration of the franchise. Steps in the formal process include (1) determining the community's needs and interests and to evaluate the operator's past performance; (2) the County issues a "Request for Renewal Proposal; (3) Comcast submits a proposal; (4) after evaluating the proposal, the County either accepts the proposal or issues a preliminary denial; (5) if the preliminary denial was issued, the operator may request an administrative hearing, at which it can introduce evidence and cross-examine witnesses; (6) at the completion of the administrative hearing, the County issues a written decision affirming or rejecting the preliminary denial; and (7) if the County's decision affirms the preliminary denial, the operator may appeal in federal court. Staff is recommending that the Board allow County Staff to move forward and initiate a formal process, which the County can get out of at any time. This will make sure the County's rights are represented under the current Federal Law and start considering what the County can request in any potential new franchise agreement with Comcast. This does not include broadband. Mr. Hunter made a motion, seconded by Mr. Webb, to initiate a formal process with Comcast for franchise renewal. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-5. Resolution; Authority to Enter into the Regional Fire and EMS Mutual Aid Agreement.** Mr. Brad Owens, Fire and EMS Director, stated that the Central Virginia Fire Chief's Association has provided a regional Mutual Aid Agreement that covers Fire, EMS, and Rescue services that are extended between localities across jurisdictional boundaries. The MAA provided mirrors the Statewide Mutual Aid Agreement that all localities have adopted. The regional MAA however, is only applicable for the first twelve (12) hours of an incident requiring resources from other jurisdictions. The agreement has been reviewed by the legal counsels from multiple jurisdictions including Prince George who helped craft the document. Additionally, the agreement was sent to the Prince George Fire and EMS Advisory Board on June 7 with feedback due by June 21. No objections to the agreement were provided as it simply replaces the current MAAs in place. Staff recommends the Board of Supervisors authorize the County Administrator to enter into the Regional MAA between the localities that have opted into the MAA. Mr. Webb made a motion, seconded by Mr. Carmichael, to authorize the County Administrator to enter into the Fire and EMS Mutual Aid Agreement on behalf of the County. Roll was called on the motion.

On roll call the vote was:

In favor: (4) Hunter, Robertson, Carmichael, Webb, Mumford  
 Opposed: (0)  
 Absent: (0)

**A-6. Resolution; Authority to Advertise a Public Hearing for Recovery of Costs for Responding to False Alarms.** Mr. Steve Micas, County Attorney, stated that the General Assembly approved legislation that allows the County, as of July 1, 2017, to be reimbursed for expenses related to an incident resulting in an emergency response (law-enforcement, fire-fighting, rescue and emergency medical services) for responding to a false fire alarm. Previously, the General Assembly also authorized localities to obtain reimbursement for expenses relating to an incident resulting in an emergency response (law-enforcement, fire-fighting, rescue and emergency medical services) for a terrorism hoax, or fake bomb threat. This Ordinance would enable Prince George County to be reimbursed for an emergency response (law-enforcement, fire-fighting, rescue and emergency medical services) to all three situations (terrorism hoax, fake bomb threat or false fire alarm). The Ordinance would allow the County to either bill a flat fee of two hundred and fifty dollars, or a minute by minute accounting of the actual costs incurred up to a maximum of two thousand five hundred dollars. Mr. Hunter made a motion, seconded by Mr. Mumford, to authorize the advertisement of a public hearing. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Hunter, Robertson, Carmichael, Webb, Mumford  
 Opposed: (0)  
 Absent: (0)

**A-7. Resolution; Budget Transfer (\$447,307.16 Capital Improvement Project Fund; Transfer from New CIP Project – New Fire Station Property Acquisition to Route 10 Fire Station Design and Construction).** Ms. Drewry stated that as part of the Series 2015 debt issuance, the County borrowed \$500,000 for the new Route 10 Fire Station. The account had an original budget of \$500,000. Land was acquired in May of 2016 and some minor surveying and site and soil work was performed with total expenditures amounting to \$52,692.84. Currently, a remaining available budget in the *Property Acquisition* account code is \$447,307.16. As part of the spring 2017 debt issuance another \$500,000 was borrowed for the Route 10 Fire Station. Staff requests a budget transfer to consolidate the remaining \$447,307.16 shown in the *Property Acquisition* budget into the newly established *Design and Construction* budget. Mr. Hunter made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-17-087

RESOLUTION; BUDGET TRANSFER (\$447,307.16 CAPITAL IMPROVEMENT PROJECT FUND; TRANSFER FROM CIP PROJECT – NEW FIRE STATION PROPERTY ACQUISITION TO ROUTE 10 FIRE STATION DESIGN & CONSTRUCTION)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017, does hereby authorize the following transfer of funds within the Multi-Year Capital Projects (2016-2017 to carry forward to 2017-2018) Budget, such line items increased and decreased as follows:

FUND/ORGANIZATION

AMOUNT

**Capital Improvement Fund (0311)**

Expenditures:

Increase:

0311-03-200-3153-48240 CIP – Route 10 Fire Station - *Design and Construction* \$447,307.16

Decrease:

0311-03-200-3142-48265 CIP – New Fire Station – *Property Acquisition* \$447,307.16

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-8. Resolution; FY17-18 Position Control Chart.** Ms. Julie Walton, Director of Community Development, stated that the County has initiated a change within the department of Community Development and Code Compliance that requires a modification to the County's Position Control Chart. Based on needs determined by Ms. Walton, a recommendation has been made to reclassify the position of Office Manager to a Community Development and Code Compliance Office Manager position. As the County has grown, and with the implementation of online permitting, this job has evolved in complexity and requires thorough knowledge of accounting and financial functions, as this position will manage all online and over the counter transactions for multiple divisions. This position will be responsible for the development and management of website transactions, which include online permitting and scheduling, and will maintain specialized permitting and code compliance software and programs. This position will also manage all customer service activities and supervision of staff, while performing other related Community Development and Code Compliance functions. The current Office Manager position is a grade 8 on the County's Compensation Plan and the Community Development and Code Compliance Office Manager position will be placed on the Plan as a grade 12. There will a \$12,279.00 increase in the starting salary. The FY17/18 Community Development and Code Compliance budget will be able to absorb this increase. Mr. Carmichael made a motion, seconded by Mr. Mumford, to approve the resolution as presented. Roll was called on the motion.

R-17-088

#### RESOLUTION; FY17-18 POSITION CHART

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors of the County of Prince George this 11<sup>th</sup> day of July, 2017 hereby approves the FY17-18 Position Chart and that no changes be made to the chart without Board approval regardless of what other County policies may state.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-9. Discussion of Shared Water Agreement with the City of Petersburg for Property Located Near Rives Road.** Chairman Robertson stated that on June 19, 2017, Virginia Business magazine reported that Roslyn Farm Corporation (Mr. Robert Walker and Mr. Nicholas Walker) purchased a 203-acre site for \$2.2 million which straddles the City of Petersburg and County of Prince George municipal line on Rives Road near the I-95 and I-295 southern merge point. The property previously belonged to Richard E. Holland Jr. Properties LLC. There is interest by Roslyn Farm Corporation to develop the site if water and sanitary sewer infrastructure could be constructed. Roslyn Farm Corporation has indicated that they would pay for the necessary improvements. Since the closest water and sanitary sewer to the subject site is owned by the City of Petersburg, any extensions would require an agreement for City infrastructure to serve the subject property within the County of Prince George. Other properties with shared services are McDonald's and Miller Mart Gas Station at Courthouse Road and Route 460 in the City of Petersburg are served by Prince George County utilities; Southside Virginia Association of Realtors office, 10300 Corporate Road, (330(0A)00-016-B), in Prince George County is served by water and sanitary sewer by the City of Petersburg, and a Planned Unit Development (PUD) on Route 301, South Crater Road, was rezoned by the City and County for a future project where the City water and sanitary sewer systems were proposed. On December 4, 2007, the County passed a resolution (R-07-122C) authorizing the execution of an agreement regarding water and sanitary sewer between the County and the City. A similar agreement could be

created for the subject property. After brief discussion, the Board agreed to allow County Administration to work on an agreement with the City of Petersburg.

**A-11. Approval of the Sale of the River's Edge Lagoon Property for a Minimum of \$,5050.**

Mr. Micas stated that the Board held public hearings in February and May for the purpose of selling a 1.6 acre parcel in River's Edge Subdivision that is no longer needed by the Utilities Department. At the May 23<sup>rd</sup> meeting the Board authorized staff to place the property for sale on the "on-line" governmental auction site "Govdeal" with a minimum reserve amount of \$4,000. The current high bid is \$5,050 and new bids will be accepted by "Govdeal" until July 18<sup>th</sup>. The successful bidder must pay the County within five days of the close of the auction (July 23<sup>rd</sup>). Since the Board does not meet again until after July 23<sup>rd</sup>, the Board should approve sale of the parcel for \$5,050 or any higher amount that might be bid by July 19<sup>th</sup>. Mr. Carmichael made a motion, seconded by Mr. Webb, to authorize the County Administrator to execute a deed of conveyance of the 1.6 acre lagoon site at River's Edge Subdivision for a price of \$5,050 or higher. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-12. Discussion on the HVAC System for the Human Services Building.** This matter was previously discussed this evening in the work session. Staff had recommended Phase I, which includes that five (5) heat pumps are replaced at a cost of \$29,600 and an evaluation performed at a cost of \$3,875. Mr. Mumford made a motion, seconded by Mr. Webb, to approve Phase I of the HVAC System for the Human Services Building.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

**A-10. Discussion of Administration's Six-Month Work Plan.** Mr. Percy Ashcraft, County Administrator, presented the Board with the six-month work plan established for the period of July-December, 2017. This work plan incorporates goals established by the County Administration and reaction to policy decisions made by the Board of Supervisors. It is not to be confused with day-to-day tasks that are assigned to each department. There are 257 goals submitted and agreed upon by County Staff and Administration. As applied in the previous six months, an evaluation system will be implemented for each item contained in the six-month work plan. The department grades for the period of January - June, 2017 were also presented. The team average for that period was 3.7 out of 4.0.

**ADJOURNMENT.** After Mr. Mumford announced that he will be bringing forward to the Board in the future the consideration of a budget amendment to allow an additional dispatcher, Mr. Carmichael moved, seconded by Mr. Webb, that the meeting be adjourned. Roll was called on the motion.

On roll call the vote was:

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

Opposed: (0)

Absent: (0)

The meeting adjourned at 8:39 p.m.

[Draft Minutes prepared August 2, 2017, for consideration on August 8, 2017; adopted by unanimous vote.]

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Percy C. Ashcraft  
County Administrator