

MOTION:

**December 15, 2020
Regular Meeting**

SECOND:

Res. No. 20-

RE: APPROVE – MINUTES – NOVEMBER 17, 2020

ACTION:

WHEREAS, on November 17, 2020, at 2:00 p.m., the Prince William Board of County Supervisors convened its regular meeting in the Board’s chamber, located in the James J. McCoart Administration Building, One County Complex Court, Prince William, Virginia; and

WHEREAS, the Prince William Board of County Supervisors conducted business in accordance with a published agenda dated November 17, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves the minutes of November 17, 2020.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____

Clerk to the Board

MOTION: BAILEY

**November 17, 2020
Regular Meeting**

SECOND: BODDYE

Res. No. 20-737

RE: APPROVE AND FIND FOR THE NOVEMBER 17, 2020 BOARD MEETING THAT DUE TO THE PUBLIC HEALTH THREAT AND THE NEED FOR PREVENTION AND CONTROL OF THE SPREAD OF COVID-19, INCLUDING THE NEED FOR MEASURES SUCH AS SOCIAL DISTANCING WHICH MAY LIMIT THE NUMBER OF INDIVIDUALS PERMITTED IN SPACES WHERE FUTURE BOARD MEETINGS MAY BE HELD, THE USUAL BOARD MEETING PROCEDURES CANNOT BE IMPLEMENTED SAFELY OR PRACTICALLY; AND (A) ALL AGENDA ITEMS ARE NECESSARY AND ESSENTIAL TO ASSURE THE CONTINUITY OF COUNTY GOVERNMENT; AND/OR (B) THE NATURE OF THE DECLARED EMERGENCY MAKES IT IMPRACTICABLE OR UNSAFE FOR THE BOARD TO ASSEMBLE IN A SINGLE LOCATION, AND THE PURPOSE OF THE MEETING IS TO DISCUSS OR TRANSACT THE BUSINESS STATUTORILY REQUIRED OR NECESSARY TO CONTINUE OPERATIONS OF THE BOARD AND THE DISCHARGE OF ITS LAWFUL PURPOSES, DUTIES, AND RESPONSIBILITIES

ACTION: APPROVED

WHEREAS, Novel Coronavirus disease 2019 (COVID-19) is a serious public health threat, for which there is currently no proven vaccination, that is believed to be mainly spread by person to person contact; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, in response to COVID-19, the President has declared a National Emergency, the Governor has declared a State Emergency, and the County Executive has declared a Local Emergency, which was subsequently confirmed and amended by the Board to find the effects of COVID-19 constitute a disaster by Resolution Number (Res. No.) 20-307; and

WHEREAS, the Center for Disease Control (CDC), the Virginia Department of Health, the Governor of Virginia, and other federal and State authorities have provided guidelines for the prevention and control of the spread of COVID-19, and have advised that to prevent and slow the spread of COVID-19 people should avoid large gatherings, should practice social distancing and implement other health and safety measures to include, but not limited to: avoiding non-essential public and private gatherings and spaces when possible; avoiding close contact with those who are sick; staying home if the person is sick or believes they are sick unless they are seeking medical treatment; avoiding frequently touched public surfaces; practicing good personal and household hygiene; and complying with the Governor's Executive Orders; wash hands frequently; wear face coverings; and

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Regular Meeting
Res. No. 20-737
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WHEREAS, the Board's priority is protecting the health, safety, and general welfare of the public; and

WHEREAS, to address the health threat posed by COVID-19 the Board intends to continue to follow appropriate health guidance, which may continue to require social distancing and may limit the number of individuals permitted in spaces where future Board meetings may be held; and

WHEREAS, on March 31, 2020, in response to the COVID-19 emergency/disaster, the Board adopted and invoked the provisions of the Continuity of Government Ordinance, (Ord. No.) 20-10, providing for the continuity of County government, including, but not limited to, establishing public safety measure and alternative Board meeting procedures; and

WHEREAS, on or about April 10, 2020, the Governor proposed Amendment 28 to HB29/2018-2020 Biennium Budget Bill and Amendment 137 to HB 30/2020-2022 Biennium Budget Bill, which were adopted by the General Assembly during the 2020 Reconvened Session and subsequently approved and signed by the Governor; and

WHEREAS, the initial invocation of the Continuity of Government Ordinance expires on September 30, 2020; because the public health threat of COVID-19 still exists, the Board re-invoked the Continuity of Government Ordinance on September 22, 2020; and

WHEREAS, the recording of the meeting shall be made available on the County website in accordance with the timeframes established in Virginia Code Sections 2.2-3707 and 2.2-3707.1; and

WHEREAS, notice of the meeting was provided to the public using the best available method given the nature of the COVID-19 emergency, which notice was given contemporaneously with the notice provided to the Board members; and

WHEREAS, arrangements were made for public access to, and public comment during, the meeting through electronic means, including to the extent practicable, videoconferencing; and

WHEREAS, the Board has otherwise complied with Virginia Code Section 2.2-3708.2;

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Res. No. 20-737
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NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves and finds for the November 17, 2020 Board meeting that due to the public health threat and the need for prevention and control of the spread of COVID-19, including the need for measures such as social distancing which may limit the number of individuals permitted in spaces where future Board meetings may be held, the usual Board meeting procedures cannot be implemented safely or practically; and (a) all agenda items are necessary and essential to assure the continuity of County government; and/or (b) the nature of the declared emergency makes it impracticable or unsafe for the Board to assemble in a single location, and the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the Board and the discharge of its lawful purposes, duties, and responsibilities;

BE IT FURTHER RESOLVED that the Board Clerk shall note in the meeting minutes that the meeting was held by electronic communication means and the type of electronic communications means by which the meeting was held, including for each Board member, as applicable.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Wheeler

Nays: Vega

Absent from Vote: None

Absent from Meeting: None

For Information:

County Attorney

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY
SECOND: BODDYE
RE: AUTHORIZE CLOSED MEETING
ACTION: APPROVED

November 17, 2020
Regular Meeting
Res. No. 20-738

WHEREAS, the Board of County Supervisors desires to consult with legal counsel and staff and discuss in Closed Meeting the following matters:

- Personnel discussion relating to the appointment of the Director of the Office of Planning and the Chief of the Police Department, (§2.2-3711(A) (1)); and
- Consultation with legal counsel and briefings by staff members pertaining to the legal matters of sovereign and qualified immunity requiring the provision of legal advice, where such consultation, discussion or briefing in open meeting would adversely affect the bargaining position, negotiating strategy or litigating posture of the public body, (§2.2-3711(A) (8)); and

WHEREAS, pursuant to §2.2-3711(A) (1) and (8), VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby authorizes discussion of the aforestated matters in Closed Meeting.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

County Attorney

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY

November 17, 2020

SECOND: ANGRY

Regular Meeting

Res. No. 20-740

RE: APPROVE - MINUTES - OCTOBER 13, 2020

ACTION: APPROVED

WHEREAS, on October 13, 2020, at 2:00 p.m., the Prince William Board of County Supervisors convened its regular meeting in conference rooms 1100 and 1101 A & B, located in the Edward L. Kelly Leadership Center, 14715 Bristow Road, Manassas, Virginia; and

WHEREAS, the Prince William Board of County Supervisors conducted business in accordance with a published agenda dated October 13, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves the minutes of October 13, 2020.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY

November 17, 2020

SECOND: ANGRY

Regular Meeting

Res. No. 20-741

RE: APPROVE - MINUTES - OCTOBER 20, 2020

ACTION: APPROVED

WHEREAS, on October 20, 2020, at 2:00 p.m., the Prince William Board of County Supervisors convened its regular meeting in the Board's chamber, located in the James J. McCoart Administration Building, One County Complex Court, Prince William, Virginia; and

WHEREAS, the Prince William Board of County Supervisors conducted business in accordance with a published agenda dated October 20, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves the minutes of October 20, 2020.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-742

**RE: ABANDON 0.04 MILES OF OLD DELANEY ROAD (STATE ROUTE 895) – COLES
MAGISTERIAL DISTRICT**

ACTION: APPROVED

WHEREAS, the Virginia Department of Transportation (VDOT) has requested that the Prince William Board of County Supervisors (Board) abandon 0.04 miles of Old Delaney Road (State Route 895), located in the Coles Magisterial District; and

WHEREAS, this section of Old Delaney Road (State Route 895) was removed during the development of Site Plan 03-00058, entitled Clark Property/Hoadly Road, Galveston Court, and SWM Pond plan; and

WHEREAS, public notices of the Board's intent to abandon this road segment were posted and published as prescribed by the terms of Section 33.2-909 of the Code of Virginia, 1950 as amended, and in accordance with Board Resolution Number 20-574; and

WHEREAS, pursuant to Section 33.2-909 of the Code of Virginia, 1950, as amended, a notice of intent to abandon 0.04 miles of Old Delaney Road (State Route 895) was sent to the Commissioner of Highways of the Virginia Department of Transportation; and

WHEREAS, the County Department of Transportation has provided the Prince William Board of County Supervisors with a sketch dated November 17, 2020, depicting the changes in the Secondary System of State Highways entitled Old Delaney Road Abandonment, which is incorporated herein by reference; and

WHEREAS, VDOT has determined that this road segment, as identified by the incorporated sketch and VDOT Form AM-4.3, is no longer necessary for public use as part of the Secondary System of State Highways, and has requested the County abandon this road segment; and

WHEREAS, pursuant to Section 33.2-909(E) of the Code of Virginia, 1950, as amended, this segment of the highway is located within a residence district as defined in Section 46.2-100; the residence district, which is located in Prince William County, has a density of population exceeding 1,000 per square mile and alternate routes for use after abandonment of this segment of the highway are readily available; and

WHEREAS, pursuant to Section 33.2-909(E) of the Code of Virginia, 1950, as amended, this segment of the highway no longer serves the public convenience and the safety and welfare of the public would be served best by abandoning this section of the highway as part of the Secondary System of State Highways; and

In the County of Prince William

By resolution of the governing body adopted February 25, 2020

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee

Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision NonProject Related Abandonment Route 895

Type Change to the Secondary System of State Highways:

Abandonment

The following facilities of the Secondary System of State Highways are hereby ordered abandoned, pursuant to the statutory authority cited:

Reason for Change: Abandonment, Non-Project Related

Pursuant to Code of Virginia Statute: §33.2-909

Street Name and/or Route Number

◆ **Old Delaney Road, State Route Number 895**

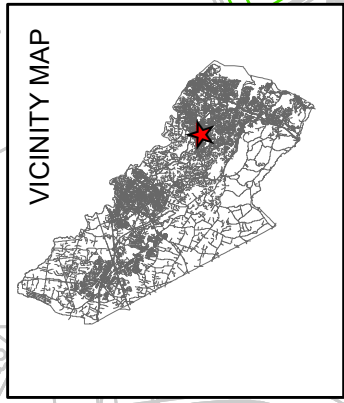
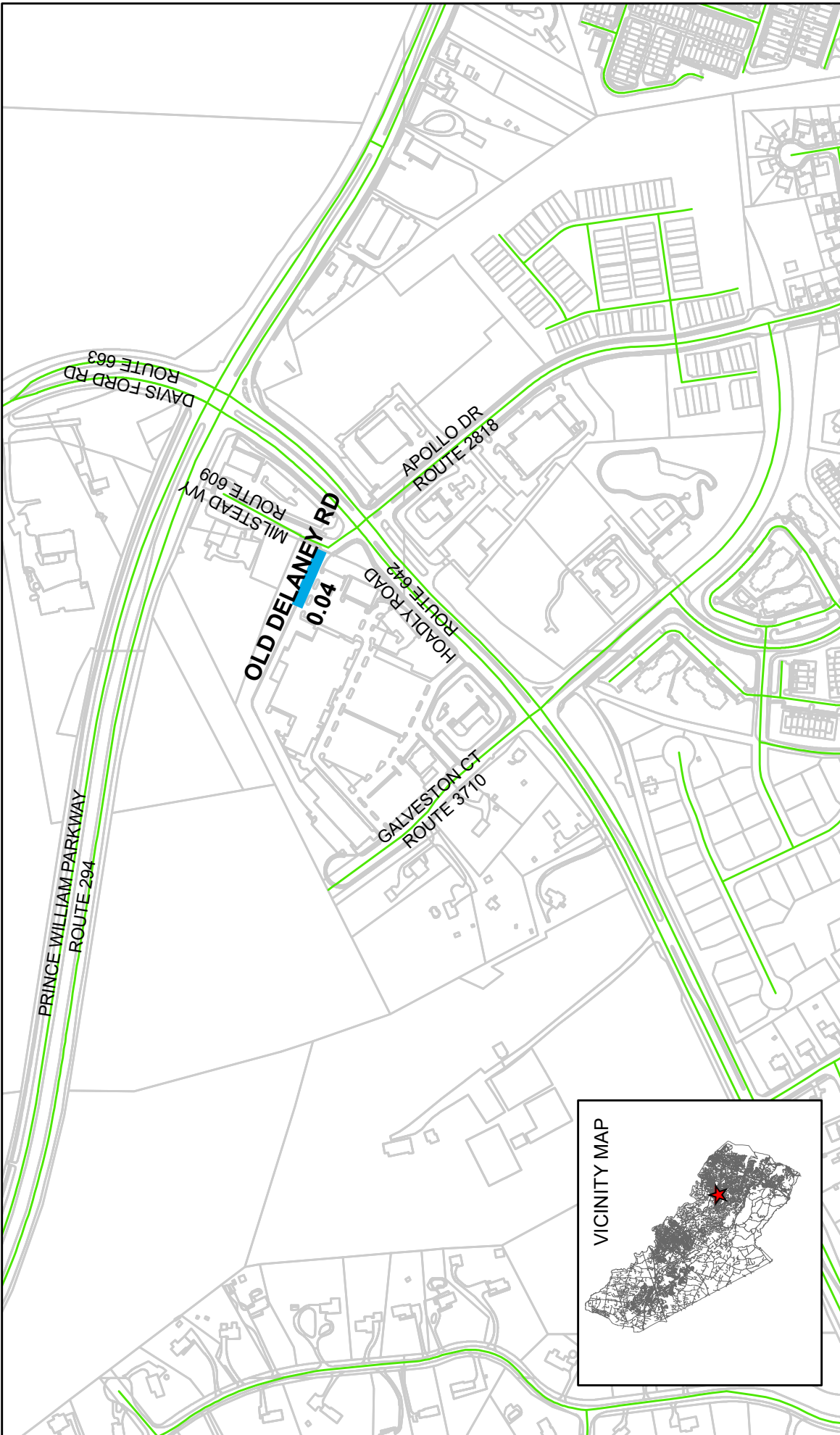
Old Route Number: 0

-
- From: Intersection of Old Route 895 and Route 609 (Milstead Way)

To: 0.04 miles North of Intersection with route 609, a distance of: 0.04 miles.



OLD DELANEY ROAD
ABANDONMENT
STREET ABANDONMENT IN MILES
NOVEMBER 17, 2020



MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-743

RE: ABANDON 0.10 MILES OF OLD HOADLY ROAD (STATE ROUTE 754) AND 0.07 MILES OF TOKEN FOREST COURT (STATE ROUTE 752) – COLES AND NEABSCO MAGISTERIAL DISTRICTS

ACTION: APPROVED

WHEREAS, the Virginia Department of Transportation (VDOT) has requested that the Prince William Board of County Supervisors (Board) abandon 0.10 miles of Old Hoadly Road (State Route 754) and 0.07 miles of Token Forest Court (State Route 752), located in the Coles and Neabsco Magisterial Districts; and

WHEREAS, the sections of Old Hoadly Road (State Route 754) and Token Forest Court (State Route 752) have been relocated due to the reconstruction of Hoadly Road (State Route 642) and Purcell Road (State Route 643), as shown on the plans for VDOT Project 0642-076-171, C501 C503; and

WHEREAS, public notices of the Board's intent to abandon these road segments were posted and published as prescribed by the terms of Section 33.2-909 of the Code of Virginia, 1950 as amended, and in accordance with Board Resolution Number 20-575; and

WHEREAS, pursuant to Section 33.2-909 of the Code of Virginia, 1950 as amended, a notice of intent to abandon 0.10 miles of Old Hoadly Road (State Route 754) and 0.07 miles of Token Forest Court (State Route 752) was sent to the Commissioner of Highways of the Virginia Department of Transportation; and

WHEREAS, the County Department of Transportation provided the Board with two sketches dated November 17, 2020, depicting the changes in the Secondary System of State Highways. The sketches are entitled, Hoadly Road VDOT Project 0642-076-171, C501 C503 Remainder for Old Hoadly Road and Token Forest Court, respectively and are incorporated herein by reference; and

WHEREAS, certain road segments identified on the incorporated sketches and VDOT Form AM-4.3 no longer serve the public convenience and should be abandoned as part of the Secondary System of State Highways; and

WHEREAS, pursuant to Section 33.2-909(E) of the Code of Virginia, 1950, as amended, these segments of the highways are located within a residence district as defined in Section 46.2-100; the residence district, which is located in Prince William County, has a density of population exceeding 1,000 per square mile and alternate routes for use after abandonment of these segments of the highway are readily available; and

November 17, 2020
Regular Meeting
Res. No. 20-743
Page Two

WHEREAS, pursuant to Section 33.2-909(E) of the Code of Virginia, 1950, as amended, these segments of the highways no longer serve the public convenience and the safety and welfare of the public would be served best by abandoning these sections of the highways as part of the Secondary System of State Highways; and

WHEREAS, pursuant to Section 33.2-909(E) of the Code of Virginia, 1950, as amended, the old roads identified to be abandoned no longer serve a public need; and

WHEREAS, no petitions have been filed with the Board in reference to the aforesaid abandonments;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby abandons 0.10 miles of Old Hoadly Road (State Route 754) and 0.07 miles of Token Forest Court (State Route 752), located in the Coles and Neabsco Magisterial Districts as stated herein and further depicted on the attachments, which are incorporated by reference herein;

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Manassas Residency Office for any additional action Virginia Department of Transportation may deem necessary to affect such abandonments.

ATTACHMENTS: VDOT Form AM-4.3
Sketches for Hoadly Road VDOT Project 0642-076-171, C501 C503 Remainder
Old Hoadly Road and Token Forest Court

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Transportation Director

Virginia Department of Transportation

Virginia Department of Transportation, Manassas Residency Office

ATTEST: _____



Clerk to the Board

In the County of Prince William

By resolution of the governing body adopted August 4, 2020

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee

Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision 0642-076-171 C501 C503
Remainder

Type Change to the Secondary System of State Highways: **Abandonment**

The following facilities of the Secondary System of State Highways are hereby ordered abandoned, pursuant to the statutory authority cited:

Reason for Change: Abandonment, Non-Project Related

Pursuant to Code of Virginia Statute: §33.2-909

Street Name and/or Route Number

◆ **Token Forest Ct, State Route Number 752**

Old Route Number: 0

- From: .18 mi N Int Rt 752 & Rt 751 (B)

To: Int Old Rt 752 & Rt 643, Purcell Road (C), a distance of: 0.07 miles.

Street Name and/or Route Number

◆ **Old Hoadly Road, State Route Number 754**

Old Route Number: 0

- From: Int. Rt. 754 & Rt. 753, Ridgefiled Village Drive (D)

To: 0.07 MI W of Int Rt. 754 & Rt. 753, Ridgefield Village Drive (F), a distance of: 0.07 miles.

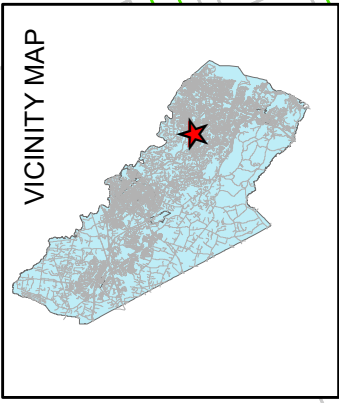
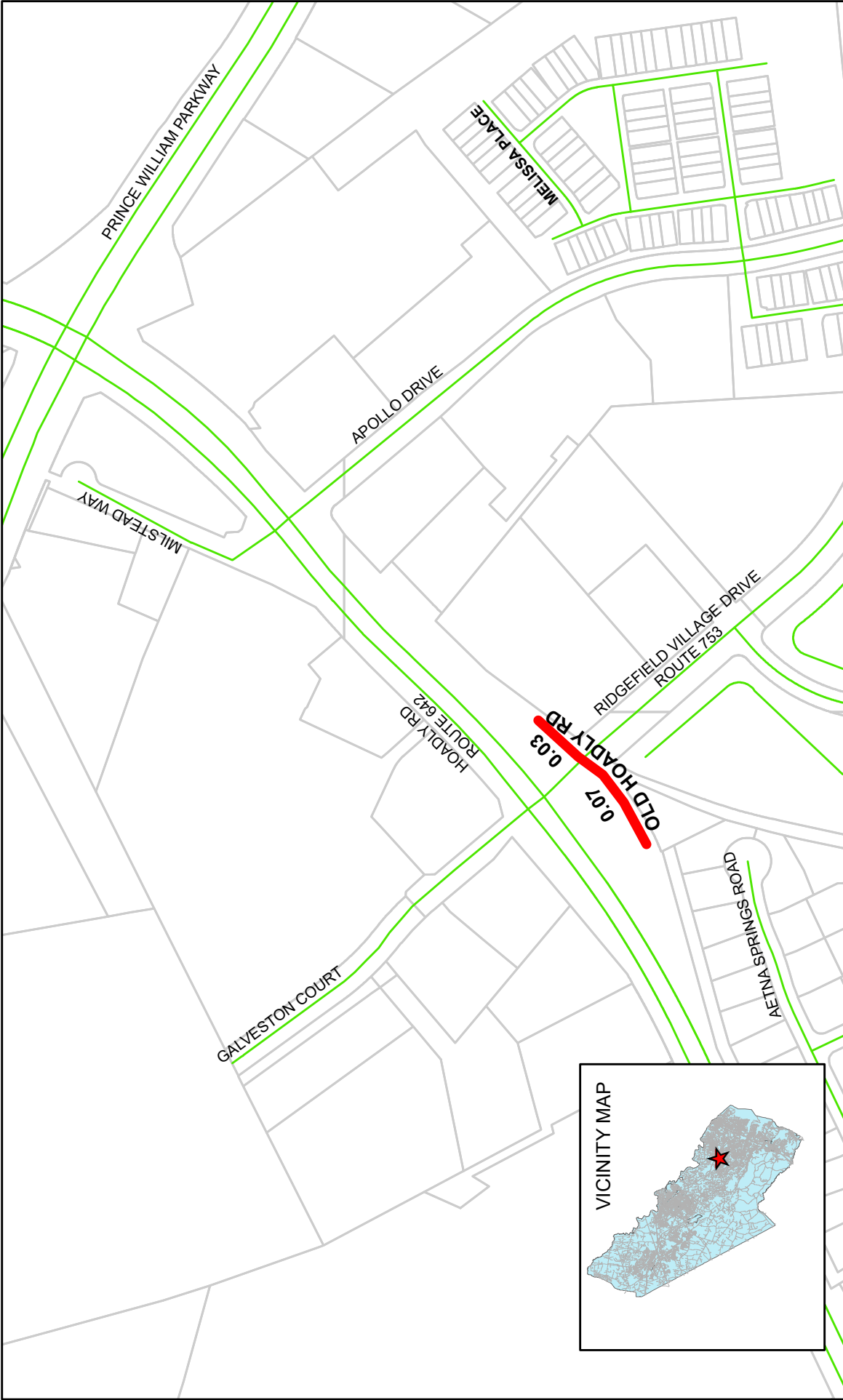
Street Name and/or Route Number

◆ **Old Hoadly Road, State Route Number 754**

Old Route Number: 0

- From: Int Rt 754 & Rt 753, Ridgefield Village Drive (D)

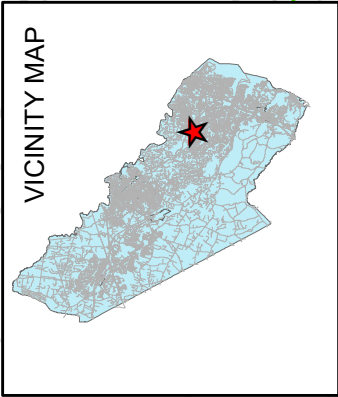
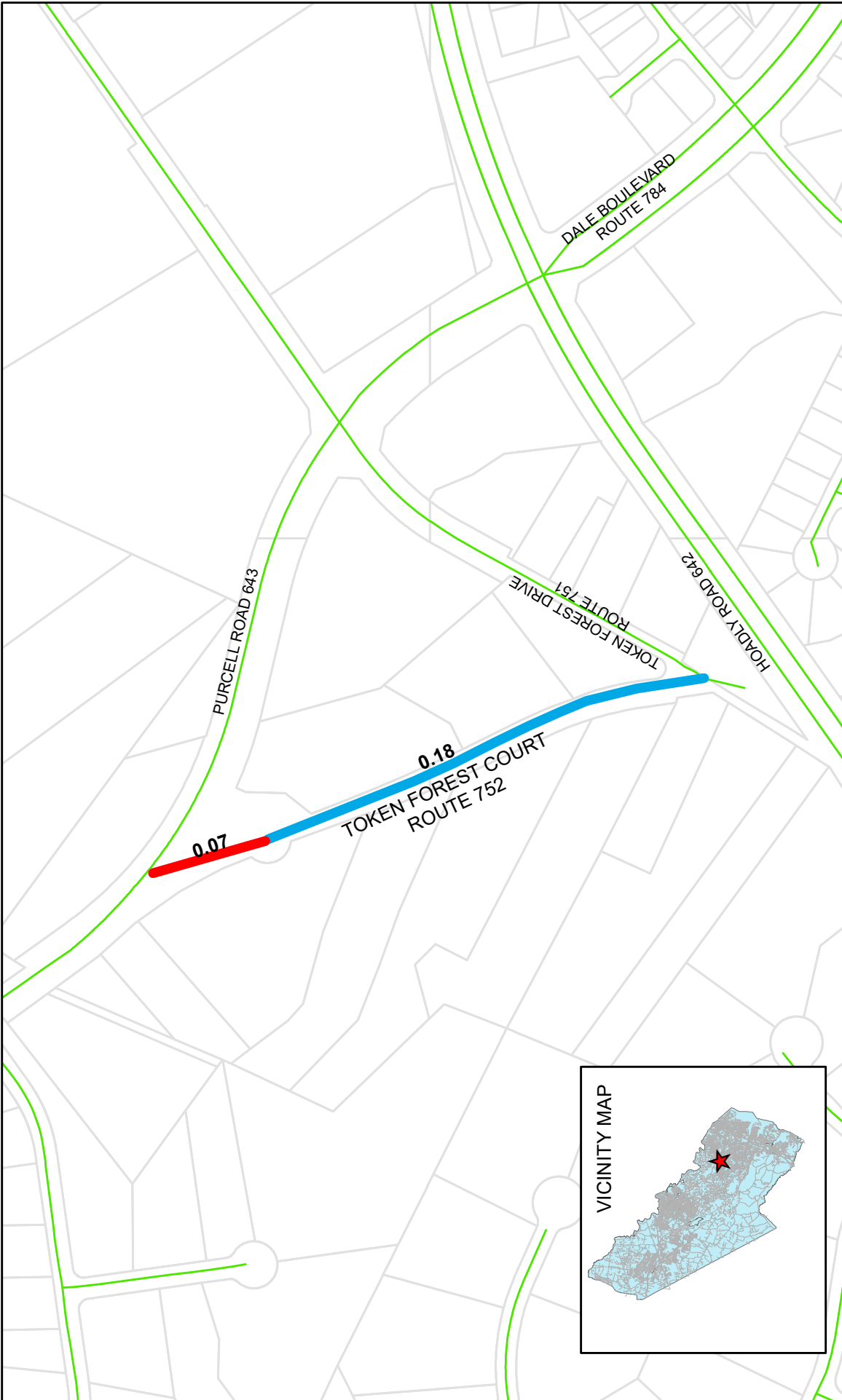
To: .03 mi E Int Rt 753 & Rt 754, Ridgefield Village Drive (E), a distance of: 0.03 miles.



**HOADLY ROAD VDOT PROJECT
0642-076-171, C501 C503 REMAINDER, OLD HOADLY ROAD
NOVEMBER 17, 2020**

ROAD ABANDONMENT IN MILES





**HOADLY ROAD VDOT PROJECT
0642-076-171, C501 C503 REMAINDER, TOKEN FOREST COURT
NOVEMBER 17, 2020**



-  ABANDONMENT IN MILES
-  DATA CORRECTION IN MILES
-  EXISTING ROADS

MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-744

RE: REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ACCEPT STREETS IN GRAHAM PARK HILLS ESTATES SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS – POTOMAC MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the streets described on the attachments, fully incorporated herein by reference, are shown on a plat recorded in the Clerk's Office of the Circuit Court of Prince William County; and

WHEREAS, these streets have been constructed in compliance with Prince William County's Comprehensive Inspections Program, which eliminates the requirement of a warranty bond; and

WHEREAS, the drainage design has been checked and approved by Prince William County Department of Public Works and the streets and drainage facilities have been constructed in accordance with approved plans; and

WHEREAS, Virginia Department of Transportation staff has advised that these streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, Prince William County and the Virginia Department of Transportation have entered into a Comprehensive Stormwater Detention Agreement, dated January 26, 1993, concerning a stormwater detention facility that may receive runoff from these streets;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby requests the Virginia Department of Transportation to add the streets, described on the attachment and as depicted on the sketch, and are incorporated by the reference herein, into the Secondary System of State Highways, pursuant to Virginia Code Section 33.2-705, and the Subdivision Street Requirements of the Virginia Department of Transportation;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby guarantees the Commonwealth of Virginia an unrestricted right-of-way as shown on the attachment with the necessary easements for cuts, fills, and drainage. The attachment was recorded in the land records of Prince William County, Virginia, as Instrument Number: 201311260114786;

November 17, 2020
Regular Meeting
Res. No. 20-744
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BE IT FURTHER RESOLVED that if conditions warrant a change to an attachment, the Prince William Board of County Supervisors hereby authorizes the Transportation Director, or his designee, to make any required changes;

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Manassas Residency Office of the Virginia Department of Transportation.

ATTACHMENTS: Graham Park Hills Estates Street Data
 Graham Parks Hills Estates Sketch

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Transportation Director

Transportation Planning and Programing Assistant Director

Transportation Inspections Supervisor

Virginia Department of Transportation, Manassas Residency Office

ATTEST: _____

Andrea P. Madden

Clerk to the Board

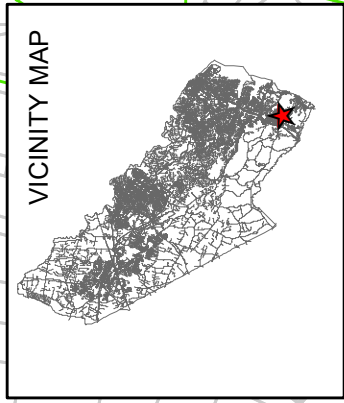
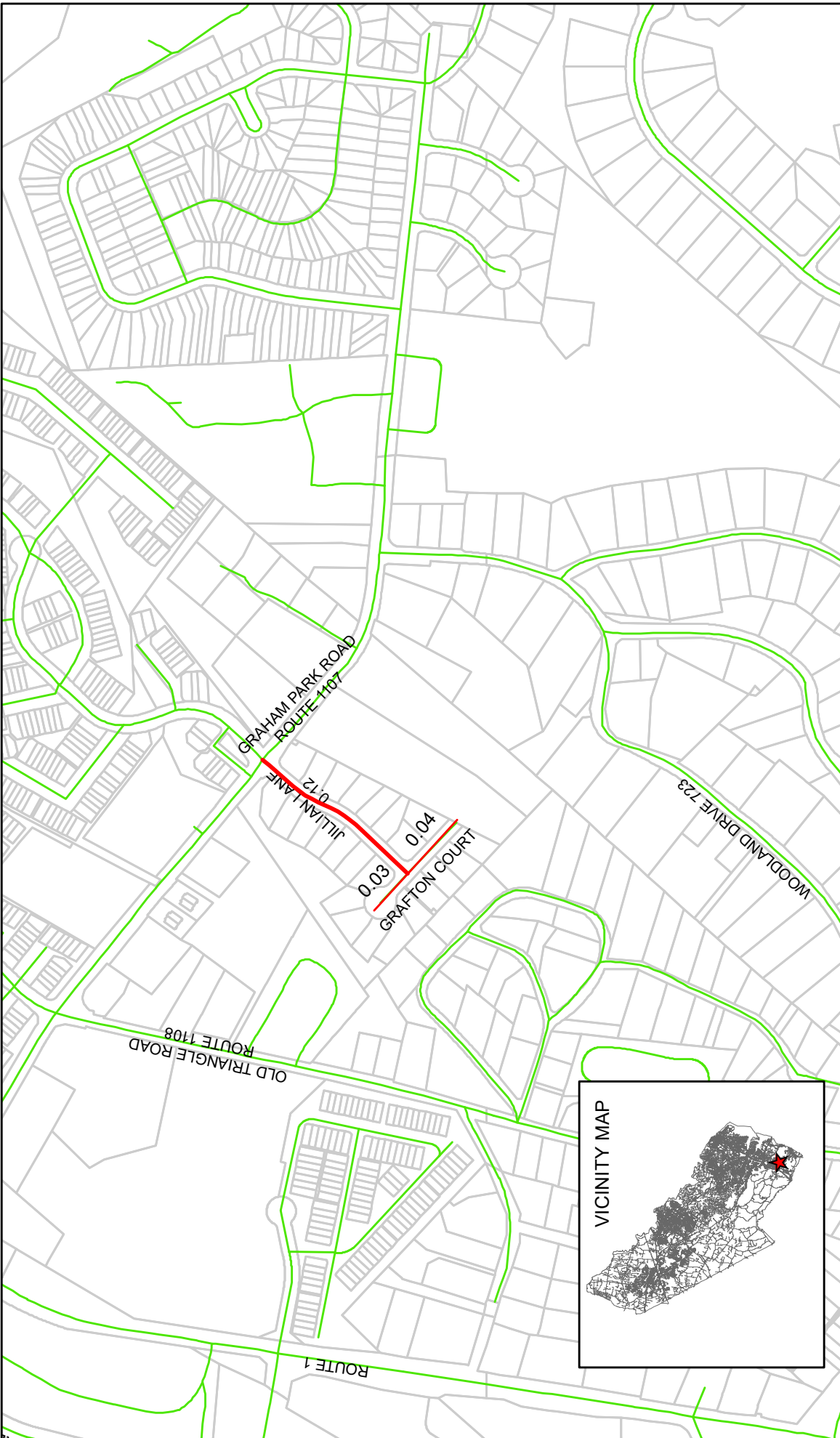
Subdivision Name: Graham Park Hills Estates
Property Owner: Richmond American Homes of Virginia, Inc.
Magisterial District: Potomac
Instrument #: 201311260114786

Street Name	Street Termini	Right-of-Way Width (ft)	Centerline Length (Miles)
Jillian Lane	From: Graham Park Road, Route 1107 To: Grafton Court	49'	0.12
Grafton Court	From: Jillian lane To: North to Cul-De-Sac	49'	0.03
Grafton Court	From: Jillian Lane To: 0.04 South to temporary turn around	49'	0.04

	TOTAL MILEAGE = 0.19 Miles Two lane Road
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GRAHAM PARK HILLS ESTATES
STREET ACCEPTANCE IN MILES
NOVEMBER 17, 2020



MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-745

RE: REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ACCEPT STREETS IN DALE CITY SECTION 12 INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS - COLES MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the streets described on the attachments, fully incorporated herein by reference, are shown on a Plat recorded in the Clerk's Office of the Circuit Court of Prince William County; and

WHEREAS, the streets have been constructed in compliance with Prince William County's Comprehensive Inspections Program, which eliminates the requirement of a warranty bond; and

WHEREAS, the drainage design has been checked and approved by Prince William County Department of Public Works, and the streets and drainage facilities have been constructed in accordance with approved plans; and

WHEREAS, Virginia Department of Transportation staff has advised Prince William County that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, Prince William County and the Virginia Department of Transportation have entered into a Comprehensive Stormwater Detention Agreement, dated January 26, 1993, concerning a stormwater detention facility that may receive runoff from this street;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby requests the Virginia Department of Transportation to add the streets, described on the attachment and as depicted on the sketch, and are incorporated by the reference herein, into the Secondary System of State Highways, pursuant to Virginia Code Section 33.2-705, and the Subdivision Street Requirements of the Virginia Department of Transportation;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby guarantees the Commonwealth of Virginia an unrestricted right-of-way recorded in the land records of Prince William County, Virginia, in Deed Book 1042, Page 539, in Deed Book 2212, Page 1686, and in Deed Book 1732, Page 1908;

November 17, 2020
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Res. No. 20-745
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BE IT FURTHER RESOLVED that if conditions warrant a change to an attachment, the Prince William Board of County Supervisors hereby authorizes the Transportation Director, or his designee, to make any required changes;

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation, Manassas Residency Office.

ATTACHMENTS: Dale City Section 12 Street Data
Dale City Section 12 Sketch

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Transportation Director

Transportation Planning and Programming Assistant Director

Transportation Inspections Supervisor

Virginia Department of Transportation, Manassas Residency Office

ATTEST: _____

Andrea P. Madden

Clerk to the Board

Subdivision Name: Dale City Section 12

Property Owner: Hylton Group

Magisterial District: Coles

Instrument #: Deed Book 1042, Page 539; Deed Book 2212, Page 1686; Deed Book 1732, Page 1908

Street Name	Street Termini	Right-of-Way Width (ft)	Centerline Length (Miles)
Packard Drive	From: Spriggs Road, Route 643 To: Pace Court	60'	0.17
Packard Drive	From: Pace Court To: Rhode Island Drive	60'	0.19
Packard Drive	From: Rhode Island Drive To: Persian Court	60'	0.16
Packard Drive	From: Persian Court To: 0.07 North East of Persian Court to Section Line	60'	0.07
Pace Court	From: Packard Drive To: North to Cul-De-Sac	50'	0.06
Pace Court	From: Packard Drive To: South East to Cul-De-Sac	50'	0.10
Rhode Island Drive	From: Packard Drive To: North to Cul-De-Sac	50'	0.06
Rhode Island Drive	From: Packard Drive To: Peacock Court	50'	0.23

Subdivision Name: Dale City Section 12

Property Owner: Hylton Group

Magisterial District: Coles

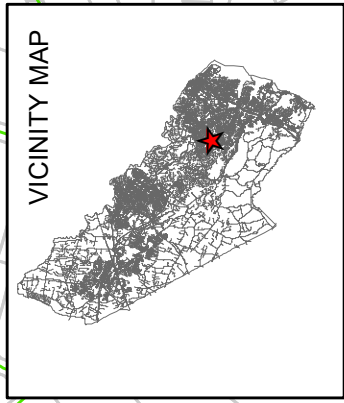
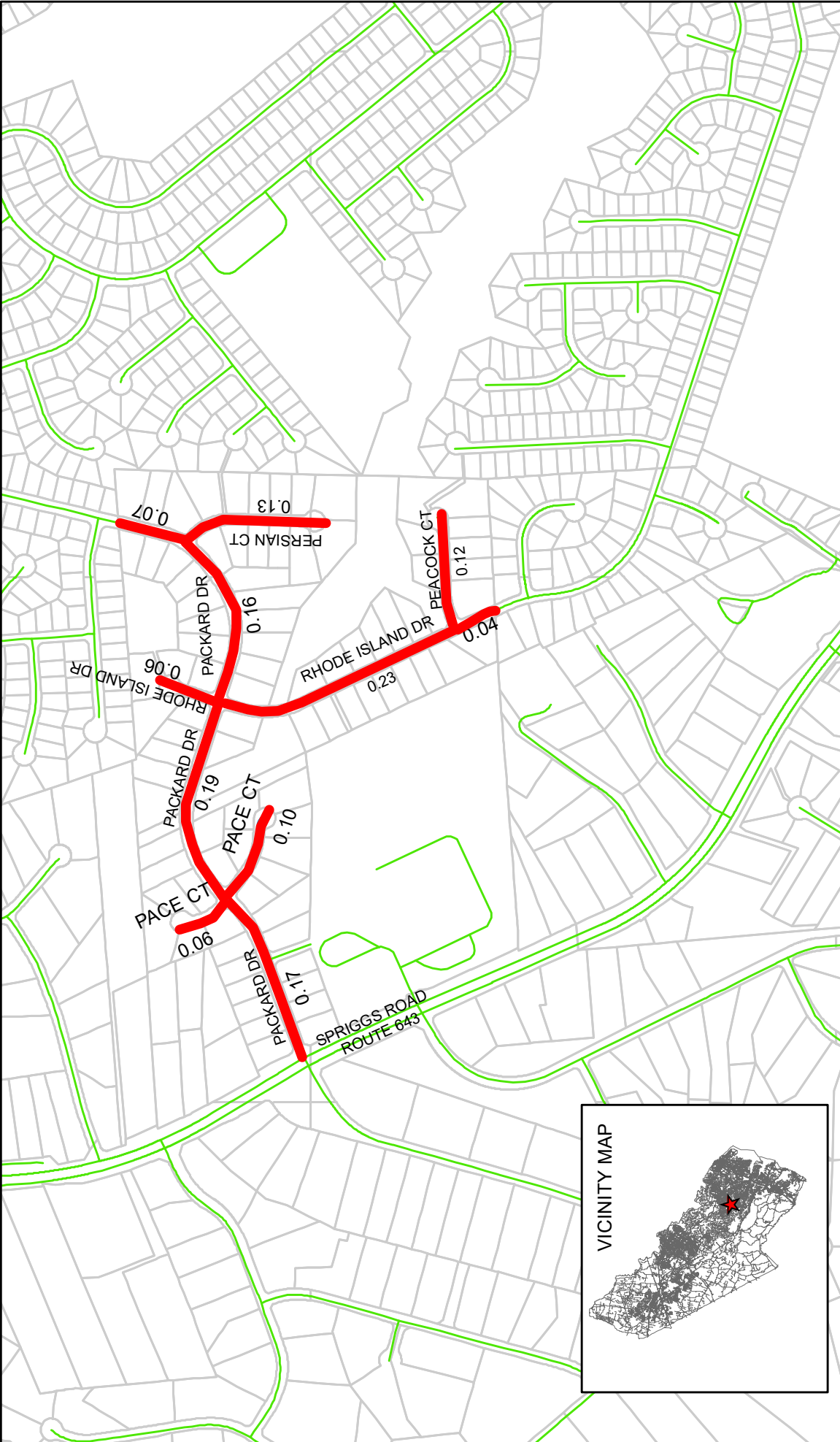
Instrument #: Deed Book 1042, Page 539; Deed Book 2212, Page 1686; Deed Book 1732, Page 1908

Rhode Island Drive	From: Peacock Court To: 0.04 Miles South East of Peacock Court to Section Line	50'	0.04
Peacock Court	From: Peacock Court To: Cul-De-Sac	50'	0.12
Persian Court	From: Packard Drive To: Cul-De-Sac	50'	0.13
TOTAL MILEAGE = 1.33 Miles			Two Lane Road



DALE CITY SECTION 12
STREET ACCEPTANCE IN MILES

NOVEMBER 17, 2020



MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-746

RE: REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ACCEPT THOMASSON BARN ROAD INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS – BRENTSVILLE MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the street described on the attachment, fully incorporated herein by reference, is shown on a plat recorded in the Clerk’s Office of the Circuit Court of Prince William County; and

WHEREAS, the street has been constructed in compliance with Prince William County’s Comprehensive Inspections Program, eliminating the requirement of a warranty bond; and

WHEREAS, the drainage design has been checked and approved by Prince William County Department of Public Works and the street and drainage facilities have been constructed in accordance with approved plans; and

WHEREAS, Virginia Department of Transportation (VDOT) staff has advised that the street meets the requirements established by the Subdivision Street Requirements of VDOT; and

WHEREAS, Prince William County and VDOT have entered into a Comprehensive Stormwater Detention Agreement, dated January 26, 1993, concerning a stormwater detention facility that may receive runoff from this street;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby requests the Virginia Department of Transportation to add the street, described on the attachment and as depicted on the attached sketch, which are incorporated by reference herein, into the Secondary System of State Highways, pursuant to Virginia Code Section 33.2-705, and the Subdivision Street Requirements of the Virginia Department Of Transportation;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby guarantees the Commonwealth of Virginia an unrestricted right-of-way as shown on the attachment with the necessary easements for cuts, fills, and drainage. The attachment was recorded in the land records of Prince William County, Virginia, as Instrument #: 201904090022676;

BE IT FURTHER RESOLVED that if conditions warrant a change to an attachment, the Prince William Board of County Supervisors hereby authorizes the Transportation Director, or his designee, to make any required change(s) administratively;

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Page Two

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Manassas Residency Office of the Virginia Department of Transportation.

ATTACHMENTS: Thomasson Barn Road Street Data
Thomasson Barn Sketch

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Transportation Director

Transportation Planning and Programing Assistant Director

Transportation Inspections Manager

Virginia Department of Transportation, Manassas Residency Office

ATTEST: _____

Andrea P. Madden

Clerk to the Board

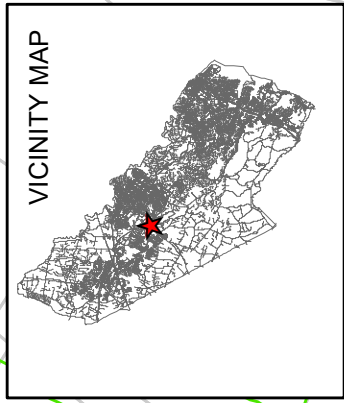
Subdivision Name: N/A
Property Owner: Prince William County
Magisterial District: Brentsville
Instrument #: 201904090022676

Street Name	Street Termini	Right-of-Way Width (ft)	Centerline Length (Miles)
Thomasson Barn Road, Route 4067	From: Discovery Boulevard, Route 3248, 1650.00' South West To: Hornbaker Road, Route 660	222.8' and Variable	0.31
TOTAL MILEAGE = 0.31 Miles			Two Lane Road



THOMASSON BARN ROAD
STREET ACCEPTANCE IN MILES

NOVEMBER 17, 2020



MOTION: ANGRY

**November 17, 2020
Regular Meeting**

SECOND: BAILEY

Res. No. 20-747

RE: APPROVE AMENDMENT THREE TO THE PERFORMANCE AGREEMENT, EXTENDING DEADLINES FOR SPECIFIC TASKS, WITH PRINCE WILLIAM COUNTY INNOVATION RESEARCH 1, LLC, AND THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF PRINCE WILLIAM FOR THE DEVELOPMENT AND OPERATION OF THE 30,000 SQUARE FOOT NORTHERN VIRGINIA BIO SCIENCE CENTER WET LAB

ACTION: APPROVED

WHEREAS, on December 10, 2019, the Prince William Board of County Supervisors (BOCS) approved Resolution Number 19-603, authorizing the sale of 4.4 acres of County-owned land, located at 11225 Assett Loop, Manassas, VA, 20109, to Holladay Properties for \$784,080, to develop a 30,000 square foot wet lab to be owned and operated by Holladay Properties; and

WHEREAS, on May 19, 2020, the BOCS approved Resolution Number 20-387, which budgeted and appropriated \$350,000 from the Economic Development Opportunity Fund and \$250,000 in Water and Sewer Credits to fund the Performance Agreement with PWC Innovation; and

WHEREAS, the County Executive executed the Performance Agreement, and a lease for 8,000 square feet on April 23, 2020, under emergency Ordinance Number (Ord. No.) 20-10, to provide for the continuity of government; and

WHEREAS, on July 14, 2020, via Resolution Number 20-515, the Board approved Amendment One to the Performance Agreement to grant up to \$155,000 from the Innovation Enterprise Fund to Holladay Properties to pay 50% of the soil remediation costs caused by unsuitable soils on the County-owned site; and

WHEREAS, on September 22, 2020, via Resolution Number 20-648, the Board approved Amendment Two to the Performance Agreement to include a GO Virginia grant of \$500,000 to enhance the equipment at the Northern Virginia Bio Science Center; and

WHEREAS, PWC Innovation's schedule for the development of the Wet Lab Facility was delayed by the COVID-19 pandemic; and

WHEREAS, PWC Innovation closed on the property on October 28, 2020, and received site plan approval on October 29, 2020, and plans to submit building plans to the County Development Services Department on November 11, 2020;

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NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves Amendment Three, extending deadlines for specific tasks, to the Performance Agreement with Prince William County Innovation Research 1, LLC, and the Industrial Development Authority of Prince William County for the development and operation of the 30,000 square foot Northern Virginia Bio Science Center Wet Lab, and authorizes the County Executive to execute Amendment Three, approved as to form by the County Attorney's Office.

ATTACHMENT: Amendment Three to Performance Agreement

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Department of Economic Development

ATTEST: _____

Andrea P. Madden

Clerk to the Board

**PERFORMANCE AGREEMENT
AMENDMENT THREE**

THIS PRINCE WILLIAM COUNTY ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT AMENDMENT THREE (herein referred to as "Amendment"), made this ___ day of _____, 2020 by and among the Prince William County Board of Supervisors, a body corporate and politic (the "County Board"), the **INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF PRINCE WILLIAM**, (hereinafter referred to as "IDA"), a political subdivision of the Commonwealth of Virginia, and **PWC INNOVATION RESEARCH 1, LLC** ("PWC Innovation"), collectively the "Parties."

WITNESSETH:

WHEREAS, the IDA has been created to promote the economic development of Prince William County, Virginia (the "County") pursuant to enabling legislation under Section 15.2-4900 *et seq.*, VA Code Ann.; and

WHEREAS, the IDA has the authority to make grants of money or property for economic development pursuant to Section 15.2-4905, VA Code Ann.; and

WHEREAS, the County Board and Holladay Property Services Midwest have entered into a Sale Agreement for 4.4 acres of land at 11225 Assett Loop, Manassas, VA 20109, and a Master Lease Agreement for 8,000 square feet of the Bio-Safety Level 2 Wet Lab Facility; and

WHEREAS, PWC Innovation is a wholly owned single purpose entity of Holiday Property Services Midwest formed for the sole purpose of developing and managing a 30,000 square foot Bio-Safety Level 2 Wet Lab facility in Innovation Park, also known as the Northern Virginia Bio Science Center; and

WHEREAS, PWC Innovation is currently developing a 30,000 square foot wet lab facility at 11225 Assett Loop, Manassas, VA 20109, on land to be purchased from the County Board; and

WHEREAS, on May 19, 2020, by Res. No. 20-387, the Board approved a Performance Agreement with PWC Innovation and the IDA as an incentive to develop and manage a 30,000 square foot Bio-Safety Level 2 Wet Lab Facility in Prince William County through ten (10) years from the Certificate of Occupancy; and

WHEREAS, on July 14, 2020, by Res. No 20-515, the Board approved Amendment One to the Performance Agreement to reimburse PWC Innovation for the cost of soil remediation for an amount not to exceed, \$155,000; and

WHEREAS, on September 22, 2020, by Res No. 20-648, the Board approved Amendment Two to the Performance Agreement to include a GO Virginia grant of \$500,000 to enhance the equipment at the Northern Virginia Bio Science Center; and

WHEREAS, PWC Innovation's schedule for the development of the Wet Lab Facility was delayed by the Covid-19 pandemic; and

WHEREAS, PWC Innovation closed on the property on October 29, 2020 and received site plan approval on October 30, 2020 and submitted building plans to the County Development Services Department on November 11, 2020; and

WHEREAS, this Agreement is consistent with the Agreement entered by and between the IDA and the County Board for granting assistance to expand targeted industries in the County to promote long-term economic development in the County; and

WHEREAS, the County Board the IDA and PWC Innovation, desire to enter into this Amendment to memorialize the understandings and conditions under which financial incentives will be provided to PWC Innovation, to use in connection with its facility located in Prince William County, Virginia and to set forth the obligations and responsibilities of the parties in connection therewith;

NOW, THEREFORE, in consideration of the mutual promises of the parties and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby state and agree as follows:

- 1) **Incorporation of Recitals** – The preceding recitals are an integral part of the Agreement and set forth the intentions of the Parties and the premises on which the Parties have entered into this Agreement. Accordingly, the recitals are fully incorporated into this Agreement by this reference as if fully set forth herein.
- 2) **IDA Covenants and Obligations** – Section 4-b shall be deleted in its entirety and shall be replaced with the following:
 - a) Upon receipt of the County Board's assignment of the Credits, the IDA shall, subject to Section 5, Disbursement Prerequisites, transfer the Credits to PWC Innovation, pursuant to Section 6. If PWC Innovation does not fulfill the Disbursement Prerequisites within three hundred sixty-five (365) days of the Effective Date, then the IDA shall return the Credits to the County Board.
- 3) **Disbursement Prerequisites** – The first paragraph of Section 5 shall be deleted and shall be replaced with the following:
 - a) The IDA's obligation to disburse the first One Hundred Seventy-Five Thousand and 00/100 Dollars (\$175,000.00) EDOF Grant and the Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) in Credits to PWC Innovation is subject to and conditioned upon PWC Innovation's fulfillment of the following pre-conditions ("Disbursement Prerequisites") within three hundred and sixty five (365) days of the Effective Date:
- 4) **Disbursement of EDOF Grants and Credits** – Section 6 -a shall be deleted and shall be replaced with the following:
 - a) PWC Innovation's satisfaction of Section 5) Disbursement Prerequisites within seven hundred thirty (730) days of the Effective Date.

5) **Ratification of Amendment Three:**

- a) The provisions of Amendment Three shall govern and control over any contrary or inconsistent provisions of the Performance Agreement. Except as expressly provided in this Third Amendment, in all other respects, the Performance Agreement is unmodified, remains in full force and effect and is hereby ratified by the parties.

IN WITNESS WHEREOF, the parties hereto have hereafter set their signatures and seals by their respective duly authorized representatives.

Approved as to form:

Christopher E. Martino,
County Executive of Prince William County

ATTEST:

INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE COUNTY OF PRINCE WILLIAM

Bobby Long
Assistant Secretary/Treasurer

BY: _____

DATE: _____

Pat O'Leary
Chairman

PWC INNOVATION

BY: _____

DATE: _____

(title)

MOTION: ANGRY

**November 17, 2020
Regular Meeting**

SECOND: BAILEY

Res. No. 20-748

RE: AUTHORIZE APPROXIMATELY 1.369 ACRES OF COUNTY-OWNED PROPERTY, LOCATED IN INNOVATION PARK AT 11100 UNIVERSITY BOULEVARD, MANASSAS, VIRGINIA, 20110, TO BE INCLUDED IN THE REZONING APPLICATION TO BE SUBMITTED FOR THE 104-ACRE INNOVATION TOWN CENTER PROJECT – BRENTSVILLE MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors (BOCS) is the owner of the property, totaling 23.7 acres, located in the Northeast quadrant of the intersection of Prince William Parkway and University Boulevard, and the BOCS, via Resolution Number (Res. No.) 20-505, contracted to sell this property to Innovation Development LLC, to develop a 23-acre University Village project; and

WHEREAS, Stanley Martin Corporation is the contract purchaser of approximately 104 acres adjacent to the County property and has submitted a request to rezone these 104 acres; and

WHEREAS, Stanley Martin Corporation proposes to build an adjacent and complementary development on 104 acres northwest of the University Village project; and

WHEREAS, the two projects together will create the Innovation Town Center envisioned in the draft Innovation Small Area Plan; and

WHEREAS, due to an irregular property line, approximately 1.369 acres of County-owned land is included in the property that Stanley Martin Corporation has requested to be rezoned; and

WHEREAS, County staff is negotiating a property line adjustment agreement with both developers to straighten the property line and will result in a straightened road with University Village on one side of the road and Stanley Martin's development on the other side of the road; and

WHEREAS, once the property line adjustment agreement is approved by the BOCS in early 2021, approximately 1.369 acres of the land currently owned by the County will be developed by Stanley Martin; and

WHEREAS, authorizing the inclusion of the County-owned property in the rezoning application would allow both projects to be considered in the same time frame and for the projects to be integrated to form the Innovation Town Center proposed in the draft Innovation Small Area Plan; and

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Page Two

WHEREAS, Stanley Martin Corporation is requesting the Board's permission to include the approximately 1.369 acres of County-owned property in the proposed rezoning application to allow for planning and zoning to proceed; and

WHEREAS, Stanley Martin Corporation recognizes and agrees that the Board's consent to include the County land in the proposed rezoning does not constitute approval of the proposed land purchase, nor does it obligate the Board to approve Stanley Martin's rezoning;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves the inclusion of approximately 1.369 acres of County-owned property, located in Innovation Park at 11100 University Boulevard, Manassas, Virginia, 20110, in the rezoning application to be submitted for the 104-acre Innovation Town Center project and authorizes the County Executive to sign the rezoning application and related documents necessary to include the County's property in the rezoning;

BE IT FURTHER RESOLVED that this action does not relieve Stanley Martin Corporation from complying with all regulations, ordinances, or adopted standards and does not prejudice the Board's rights in its consideration of Stanley Martin Corporation's rezoning in any way.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Department of Economic Development

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-749

RE: AUTHORIZE PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE COUNTY CODE TO UPDATE AND REVISE CHAPTER 22 – REFUSE – COUNTYWIDE

ACTION: APPROVED

WHEREAS, Sections 15.2-901, 15.2-928, 15.2-931, 15.2-937 of the Virginia Code Ann., allow the Prince William Board of County Supervisors (Board) to adopt ordinances to provide for the removal and disposal of trash, the management of solid waste and recycling facilities, the collection of garbage and recyclable materials, the reporting of recycling information, and the separation of solid waste among other things; and

WHEREAS, the Board enacted certain provisions of the Prince William Code Chapter 22 in accordance with said Virginia Code sections; and

WHEREAS, the last comprehensive review and revision of Chapter 22 was in 2007. A review and update of Chapter 22 is warranted, due to the growth in the County, changes at area processing facilities/markets, legislation, and organizational structure of County agencies; and

WHEREAS, the 2004 Solid Waste Management Plan, a 2014 study completed by SCS Engineers, economic and market advancement, recycling, and the opening of the Balls Ford Road Compost Facility (food waste program), and most importantly, landfill life call for revisions to Chapter 22; and

WHEREAS, these amendments are being done in consultation with County Staff Committee and the Solid Waste Advisory Group; and

WHEREAS, the County Staff Committee (staff) is made up of representatives from the Department of Public Works, Solid Waste and Neighborhood Services Divisions, the Prince William Health District, and the County Attorney's Office; an Advisory Group made up of representatives from private waste hauling (both large and small companies), homeowners associations, apartment and condominium management, commercial property management, and the Chamber of Commerce completed comprehensive review of Chapter 22 resulting in the proposed changes to Chapter 22; and

WHEREAS, it is the recommendation of staff that the Board authorize a public hearing to consider Amendments to the Prince William County Code, Chapter 22 Refuse; and

WHEREAS, it is the Board's desire to conduct a public hearing for the purpose of considering the adoption of amendments to Chapter 22 pertaining to the removal and disposal of trash, the management of solid waste and recycling facilities, the collection of garbage and recyclable materials, the separation of solid waste and the preparation and submission of recycling survey reports; and

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WHEREAS, prior to amending the Prince William County Code Chapter 22, the Board must conduct a public hearing after advertisement, in accordance with Section 15.2-1427 Virginia Code Ann.;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby authorizes a public hearing to consider amendments to the County Code to update and revise Chapter 22 – Refuse;

BE IT FURTHER RESOLVED that the Clerk to the Board is directed to properly advertise notice of the public hearing for the stated purpose in a newspaper of general circulation in Prince William County, once a week for two successive weeks, with the second publication appearing no sooner than one calendar week after the first publication.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Public Works Director

Public Works for Solid Waste, Assistant Director

County Attorney

Prince William Health District

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-750

RE: REAUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS AND THE NORTHERN VIRGINIA SOCCER CLUB, INC. TO CONSTRUCT A NEW ARTIFICIAL TURF FIELD AT GEORGE HELLWIG MEMORIAL PARK - COLES MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, on June 25, 2019, via Resolution Number (Res. No.) 19-335, the Prince William Board of County Supervisors (BOCS) approved a Memorandum of Understanding (MOU) between the Northern Virginia Soccer Club, Inc. (NVSC), and the Department of Parks, Recreation, and Tourism (DPRT) for the cost sharing and construction of a new artificial turf field at George Hellwig Memorial Park to replace natural turf fields five and six and appropriated \$300,000 in Coles District proffer funds towards the estimated \$1,100,000 project cost; and

WHEREAS, on July 14, 2020, via Res. No. 20-511, the BOCS authorized the Director of Finance to budget and re-appropriate \$300,000 in unexpended proffer funds to ensure that unexpended proffer funds are available in Fiscal Year 2021; and

WHEREAS, on August 4, 2020, via Res. No. 20-585, the BOCS appropriated an additional \$35,000 in proffer funds from the Coles District towards the project, bringing the total County match to \$335,000; and

WHEREAS, a stipulation of the 2019 MOU required that all permits, waivers, easements, and approvals for the project must to be obtained within twelve (12) months from the date of execution of the MOU, or the MOU would expire; and

WHEREAS, due to project delays caused by the COVID-19 pandemic, NVSC was not able to obtain the necessary permits in time and the MOU automatically expired on June 24, 2020; and

WHEREAS, NVSC has since obtained all the required permits, secured their general contractor, and is ready to proceed with construction; and

WHEREAS, the 2019 MOU must be reauthorized before NVSC can proceed with the project; and

WHEREAS, DPRT has prepared an identical MOU to the 2019 MOU for BOCS consideration; and

WHEREAS, DPRT has a long-standing partnership with NVSC to provide youth soccer programming for thousands of Prince William County residents that DPRT would otherwise need to serve through direct programming; and

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WHEREAS, the new artificial turf field will expand level of service because it will allow year-round, all weather use; and

WHEREAS, the County's contribution of \$335,000 will leverage approximately \$765,000 in private funds to complete the \$1,100,000 project; and

WHEREAS, it is in the community's financial interest to leverage public funds for private investment and the County has a successful record of partnering with sports leagues to offset general tax support for park capital projects;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby reauthorizes a Memorandum of Understanding between the Prince William Board of County Supervisors and Northern Virginia Soccer Club, Inc., to construct a new artificial turf field at George Hellwig Memorial Park;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors has the authority to contribute funds to certain non-profit organizations;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Department Director to execute such documents necessary to affect the intent of this resolution as reviewed and approved as to form by the County Attorney's Office.

ATTACHMENT: Memorandum of Understanding – NVSC Turf Field

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS AND
NORTHERN VIRGINIA SOCCER CLUB, INC. FOR THE CONSTRUCTION OF
A NEW ARTIFICIAL TURF FIELD AT GEORGE HELLWIG MEMORIAL PARK**

This **Memorandum of Understanding** ("MOU") is entered into on this _____ day of _____ 2020, by and between the Board of County Supervisors of Prince William County, Virginia (the "Board") and the Northern Virginia Soccer Club, Inc. ("NVSC") for the purpose of partnering on the construction of a new artificial turf field at George Hellwig Memorial Park, a County-owned property.

RECITALS

WHEREAS, Prince William County (the "County") is a political subdivision of the Commonwealth of Virginia that owns 132.73 acres of land located known as George Hellwig Memorial Park located at 14418 Bristow Road in the Coles Magisterial District (the "Subject Property"); and

WHEREAS, the Department of Parks Recreation, and Tourism ("DPRT") has a long-standing partnership with the Northern Virginia Soccer Club, Inc. ("NVSC") to provide youth soccer programming for Prince William County residents at George Hellwig Memorial Park, which, will serves as NVSC's home office; and

WHEREAS, NVSC is a community partner who has provided youth soccer programming for residents of the County for over forty-six years, which the County would otherwise have to provide; and

WHEREAS, the former Prince William County Park Authority and NVSC cost-shared the installation of artificial turf for Field #7 at the Subject Property in 2008 according to terms outlined in a December 2007 Memorandum of Agreement, which expired in September 2018; and

WHEREAS, the former Prince William County Park Authority and NVSC cost-shared the installation of artificial turf for Field #8 at the Subject Property in 2013 according to terms outlined in a December 2007 Memorandum of Agreement, which will expire in September 2023; and

WHEREAS, NVSC, subject to obtaining necessary funding, desires to invest in constructing a new full-size artificial turf field to replace Field #5 and #6 at the Subject Property ("the Project") as described in Exhibit 1, which is attached hereto and made part of this Agreement; and

WHEREAS, the Board recognizes the significant community benefit that the citizens of Prince William County (County) will derive from public-private partnerships and desire to provide a match of County funds for the Project;

NOW, THEREFORE, in consideration of mutual covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree that their respective obligations under this agreement shall be as follows:

1. NVSC shall be responsible for obtaining, and shall use its best efforts to obtain, all required land disturbance and other permits, waivers, easements, and approvals necessary for the Project and will pay for all engineering and certified land survey data, soils investigation, testing and reports, land planning services, direct costs and permit fees, and any and all other costs associated with obtaining the required permits, waivers, easements, and approvals for the Project. If NVSC is not able to obtain all required permits, waivers, easements, and approvals for the Project within twelve (12) months from the date of execution of this Agreement, the Agreement shall automatically terminate without cost to either party.
2. NVSC shall provide product specifications, samples, installation procedures, warranties, construction documents, and other information as reasonably requested by DPRT concerning the synthetic turf proposed, along with information concerning any related improvements, to DPRT for review and approval prior to performing any work on the site of the Project. DPRT shall also have the right to review and approve any changes to such product specification, samples, installation procedures, warranties, construction documents, and related improvements during construction. DPRT's review of these materials and this information and approval thereof will not be unreasonably withheld or delayed.
3. NVSC shall be responsible for selecting a contractor to perform the work included in the Project and for any subsequent maintenance, repair, or replacement of the Project improvements. All contractors must, at a minimum:
 - a. Demonstrate successful completion of not less than three similar projects within the previous two years;
 - b. Hold a Class A Virginia contractor's license; and
 - c. Provide proof of insurance that complies with DPRT risk management guidelines.

4. NVSC shall be responsible for all Project cost unless otherwise specified in this Agreement. Within sixty (60) days after completion of the Project, NVSC shall notify DPRT in writing of the actual costs. Actual costs shall be demonstrated through a contractors invoice(s) for all work completed.
5. The synthetic turf installed by NVSC under this Agreement, as set forth in Exhibit 1, shall remain in place and, once installed, shall become the property of the County.
6. This agreement shall have a term of ten (10) years beginning on the date on which the Project is completed and accepted by the Board and NVSC and ending at midnight one day before the ten (10) year anniversary of that date unless sooner terminated in accordance with this Agreement. The date on which this Agreement terminates, whether at the end of the initial term or any renewal term shall be referred to as the "Expiration Date."
7. The Board hereby assigns priority use and scheduling authority for the new field to NVSC with the following conditions:
 - a. A minimum of 20% of available prime field time shall be reserved for third party community users seasonally. The remaining 80% of use will be counted against NVSC's seasonal allocation of hours by DPRT.
 - b. Prime field time is defined as 5:00pm-10:30pm weekdays; 9:00am-10:30pm weekends. A third-party user is defined as any non-NVSC entity including Prince William County-registered leagues and seasonal groups, but excluding commercial/for-profit users. Prince William County-based third-party users shall take priority over non-Prince William County users.
 - c. NVSC shall make all reasonable efforts to publically advertise field space availability to third party users and shall not unreasonably withhold access. DPRT shall refer third party users to NVSC.
 - d. The percentage of reserved third party access can fluctuate monthly within each season as defined in Exhibit 3, but shall not fall below 20% for the entire season in aggregate, which shall be calculated as the average of all months in each season. Reserved third party access shall not fall below 10% for a single month.
 - e. If field time is set aside by NVSC for third party use, but not ultimately rented by a third-party user due to lack of interest, NVSC may count the forfeited hours against their reservation quota. In such cases, NVSC shall leave the

schedule blank in School Dude (or current scheduling software).

- f. NVSC reserves the right to require a five (5) working day advanced notice (Monday through Friday) for third party rental requests. If a field is not rented, NVSC shall have use of the fields for open programming which shall not count against their seasonal allocations.
- g. Third party uses shall be permitted by NVSC on behalf of DPRT in accordance with the permitting policies contained within the Athletic Field and Facility Use Manual (AFFUM) including, but not limited to:
 - i. All third party permittees shall furnish NVSC a certificate of general liability insurance naming Prince William County as Certificate Holder and Additional Insured in the amount of One Million (\$1,000,000).
 - ii. Hold Harmless Agreement.
 - iii. All documents shall be maintained by NVSC and available to DPRT upon request.
- h. NVSC shall not be penalized for field space reserved or permitted for third party use, which is cancelled by permittee within seven (7) days of the activity date.
- i. All non-prime time field use shall be permitted to third party users by NVSC on behalf of DPRT in accordance with the permitting policies contained within the AFFUM. Non-prime field time is defined as 9:00am-5:00pm weekdays.
- j. NVSC shall schedule all third-party usage in School Dude or other scheduling software determined by DPRT. The necessary permittee information, to include current contact information, shall be clearly listed in each electronic entry as defined by DPRT. The Sports Services Manager will approve electronic entries to trigger permit issuance. DPRT shall regularly check all field permit entries in School Dude to determine compliance with scheduling requirements contained herein.
- k. NVSC shall issue an electronic and/or paper permit to all third party users, which shall serve as a receipt of payment, showing the total fee amount. A copy of the permit should be made available to DPRT upon request.

1. Tournament use, in support of NVSC league operations, shall count against NVSC's prime field usage allocation. Tournament use by third party users shall count towards the 20% seasonal requirements for prime field use.
8. In acknowledgment of the need to recoup their investment in the Project, NVSC shall retain 100% of all third party permit fees for the term of this Agreement in order to pay off the totality of NVSC's share of project costs with the following conditions:
 - a. Project costs shall be defined as the total contracted cost of construction as stated in the contractor invoice(s), minus the County's contribution of \$300,000. Project costs shall also include loan interest.
 - b. If claiming interest, NVSC shall provide evidence of interest payments via monthly bank statements.
 - c. NVSC shall provide DPRT copies of all third party permits issued on a quarterly basis of the County's Fiscal Year. DPRT will reconcile said permits with schedules in School Dude (or current scheduling software).
9. Upon 100% recovery of Project investment, NVSC shall continue to issue all third party permits and collect fees. All fees collected after NVSC's Project investment is recovered shall be placed in a restricted Virginia Qualified Public Depositor (VQPD) NVSC account for exclusive use at George Hellwig Memorial Park in accordance with the following provisions:
 - a. The funds shall only be used for repairs to the field and other fixed capital improvements at George Hellwig Memorial Park. Use of funds for NVSC equipment and operating expenses is prohibited.
 - b. DPRT shall approve all proposed use of funds by NVSC.
 - c. If NVSC dissolves, all funds shall transfer to Prince William County.
 - d. DPRT has the right to callback all funds if NVSC breaches this Agreement or DPRT policies, including accrued interest.
10. The terms of this Agreement shall not relieve NVSC from paying all permit fees on a player-by-player basis in accordance with the AFFUM.
11. In acknowledgment of the need to recoup their investment for the Project, NVSC may lease field for for-profit commercial uses such as clinics and camps and retain 100% of gross revenues for the term of this Agreement in order to pay off the totality

of NVSC's share of project costs. Commercial rentals shall not count towards the third party community use requirements.

12. NVSC may engage in souvenir, clothing, and concession sales at George Hellwig Memorial Park directly or through third party vendors during NVSC activities and retain 100% of gross revenues upon the following conditions:
 - a. If serving food, appropriate concession permits shall be obtained by NVSC.
 - b. Food truck vendors shall only be permitted with prior consent from DPRT in accordance with Prince William County regulations.
13. Tournament applications shall continue to be required in accordance to the AFFUM
14. NVSC shall inform DPRT of any third party field usage requests for non-typical activities by NVSC and/or a third party user. Such uses shall be approved by the DPRT in accordance with the standards identified in the AFFUM. Additional fees may be applicable dependent upon the scope/nature of the event(s) requested as identified by the DPRT schedule of fees.
15. DPRT reserves the right to amend/cancel field use activities as recommended by DPRT staff.
16. Failure to comply with the conditions contained herein and AFFUM rules and regulations will result in the automatic revoking of NVSC's right to third party permit fees under this Agreement and a return to DPRT-managed field scheduling.
17. NVSC shall obtain and provide to DPRT written maintenance specifications, use restrictions, and warranty conditions from the selected turf supplier and/ or the installer (hereinafter referred to as "Terms of Usage") prior to any use of the Fields. NVSC shall abide by such Terms of Usage. In the event of a violation of these Terms of Usage or any other action or inaction by NVSC, which cause damage to the Field, NVSC shall bear the cost of any repairs of the Fields.
18. DPRT shall provide monthly grooming of Fields in accordance with standard field maintenance levels:
 - a. Brooming/light raking/adding infill to the field "hot spots" (i.e. goalie area, penalty kick, etc.) – 1x per week
 - b. Sweeping/tine grooming – 1x per month

- c. Check field edges for germination of weeds , and spray weeds at field edges if necessary – 1 x per month
19. Spectator support facilities are limited at George Hellwig Memorial Park and as such, NVSC and DPRT shall develop reasonable and timely management practices so that players, spectators, and other participants utilize the park in accordance with DPRT policies as well as conduct operations as follows:
 - a. Use only designated parking areas and restroom facilities provided, and enter and exit the park using only designated pedestrian and vehicle access facilities thereby avoiding parking on any residential street or cutting through any private property;
 - b. Monitor and proactively manage all activities restricting use of the field and encouraging spectators and participants to utilize vans and carpools for game dates, other than exceptional circumstances.
20. Temporary corporate field sponsorships for the field shall be permitted upon approval from DPRT.
21. The Project shall be completed within twelve (12) months following receipts of all required permits, waivers, easements, and approvals for the Project, provided that such deadline shall be postponed for the duration of any event of force majeure or any other delay beyond the control of NVSC. If NVSC is unable to complete the Project within this period of time, the Board shall have the right to terminate the Agreement.
22. NVSC is solely responsible for cost of repairs, as reasonably determined by DPRT, including replacement of the synthetic turf and its related curb, base material, and underdrain system during the Term of this Agreement, if damages occur during use by NVSC or third party use.
23. If this Agreement is terminated by the Board during the ten (10) year term for reasons other than the terms set forth in Section 24, the Board shall reimburse NVSC for the actual cost of the Project, as set forth in the notice provided by NVSC to the Board in accordance with Section 4 hereof, and any other costs for the Field approved by the Board subject to annual depreciation of ten percent (10%) of such cost (pro-rated for portions of a year on a monthly basis). Failure by DPRT to assign the Field to NVSC for the periods specified in Section 7 hereof without cause shall be deemed to be a termination of this Agreement by the Board prior to the Expiration Date.
24. If NVSC fails to perform, or demonstrates reckless disregard for any term or

terms of this Agreement, the Board may, at its sole discretion, after thirty (30) days written notice to NVSC and reasonable opportunity to cure, terminate this agreement. If the Board fails to perform, or demonstrates reckless disregard for any term or terms of this Agreement, NVSC may, after thirty (30) days written notice to the Board and reasonable opportunity to cure, terminate this agreement.

25. It is expressly agreed and understood that this Agreement is to be construed under the laws of the Commonwealth of Virginia and may only be enforced in the courts of Prince William County, Virginia.
26. The Board acknowledges that NVSC may need to obtain external financing for the implementation of the Project and agrees that NVSC's obligations are expressly conditioned on NVSC obtaining such financing on terms reasonably acceptable to NVSC. In the event that NVSC is unable within twelve (12) months from the date hereof to secure their share of Project funding, NVSC and the Board shall each have the right to terminate this Agreement and all fees collected in relation to Section 9 shall be returned to the County.
27. NVSC shall, at its own expense and cost, procure and maintain public liability Insurance policy or policies to be in effect during the term of agreement. Insurance coverage shall be \$1,000,000 per Occurrence with a \$3,000,000 excess policy. Also, the County shall be named as an additional insured on the policy. Also, the Lessee shall maintain automotive liability insurance with an aggregate liability of \$1,000,000. A certificate of insurance for each policy shall be provided to the Director Parks and Recreation, together with satisfactory payment of premium. The policy shall contain a clause requiring the Insurer to provide written notice to DPRT of nonpayment of policy premium and ten (10) days written notice of cancellation before cancellation shall be effective. In the event that the Insurance policy is cancelled, NVSC shall obtain substitute insurance, and if NVSC fails to obtain such insurance within seven (7) days, the DPRT may obtain said insurance and charge the cost of it to NVSC. Failure to maintain adequate Insurance shall constitute an event of default after grace period provided in this Section.
28. Copies of all insurance policies required by this Agreement shall be delivered by NVSC to DPRT.
29. This Agreement contains the entire agreement of the parties with respect to the subject matter hereof. The Agreement is also subject to other County policies unless expressly in conflict with the terms of this Agreement.
30. This Agreement shall not be modified, amended, or changed in any respect

except in writing duly signed by the parties hereto, and each party hereby waives any right to amend this Agreement in any other way.

31. This Agreement may not be assigned by any of the parties hereto without the express written consent of the other party.
32. All of the terms and provisions of this Agreement shall be binding upon and shall insure the benefit of the parties hereto and their successors. In addition, the parties agree that terms and provisions of this Agreement are reasonable.
33. If any provision of this Agreement shall be determined to be invalid or unenforceable, such determination will not affect the validity of the other provisions of this Agreement.
34. None of the provisions of this Agreement is intended to grant any right or benefit to any person or entity that is not party to this Agreement unless specified in the Agreement.
35. All notices and deliveries required under this Agreement shall not be effective for any purpose unless the same shall be given or served as follows:

If to NVSC, to:

Northern Virginia Soccer Club, Inc.
Attention: President
14424 Bristow Road
Manassas, VA 20112

If to the Board, to:

Prince William County
Attention: Director
Department of Parks, Recreation, and Tourism
14420 Bristow Road
Manassas, VA 20112

Every such notice, demand, request, other communication or delivery of documents or funds hereunder shall be deemed to have been given or served for all purpose hereunder on the date on which it is received or refused by the party to whom it was sent, whether by courier, certified mail, or U.S. First Class Mail, postage prepaid.

Northern Virginia Soccer Club, Inc.

BY:

President

Prince William County Department of Parks, Recreation, and Tourism

BY:

Seth Hendler-Voss
Parks, Recreation, and Tourism Director
14420 Bristow Road
Manassas, VA 20112

EXHIBIT 1
PROJECT SCOPE OF WORK

1. GENERAL

All work under this section is subject to the General and Supplemental Conditions and Information for Bidders forming a part of these specifications, as well as to applicable provisions of the current Prince William County Public Facilities Manual, Virginia Department of Transportation Road and Bridge Specifications (VDOT) and the Department of Conservation and Recreation. The Contractor shall be responsible for and be governed by all requirements there under.

2. SCOPE

Construct a synthetic turf soccer field with the dimensions of 360 feet by 225 feet in the place Fields #5 and #6 and George Hellwig Memorial Park as shown on Exhibit 2.

3. COUNTY CONTRIBUTIONS AND REVENUE

The Prince William Board of County Supervisors will provide Three Hundred Thousand Dollars (\$300,000) towards the Project. Said sum will be paid directly to NVSC upon successful completion and documentation of not less than twenty-five (25%) of Project on a per field basis. NVSC shall pay all remaining funds to complete the project in its entirety including interest.

EXHIBIT 2 PROJECT LOCATION

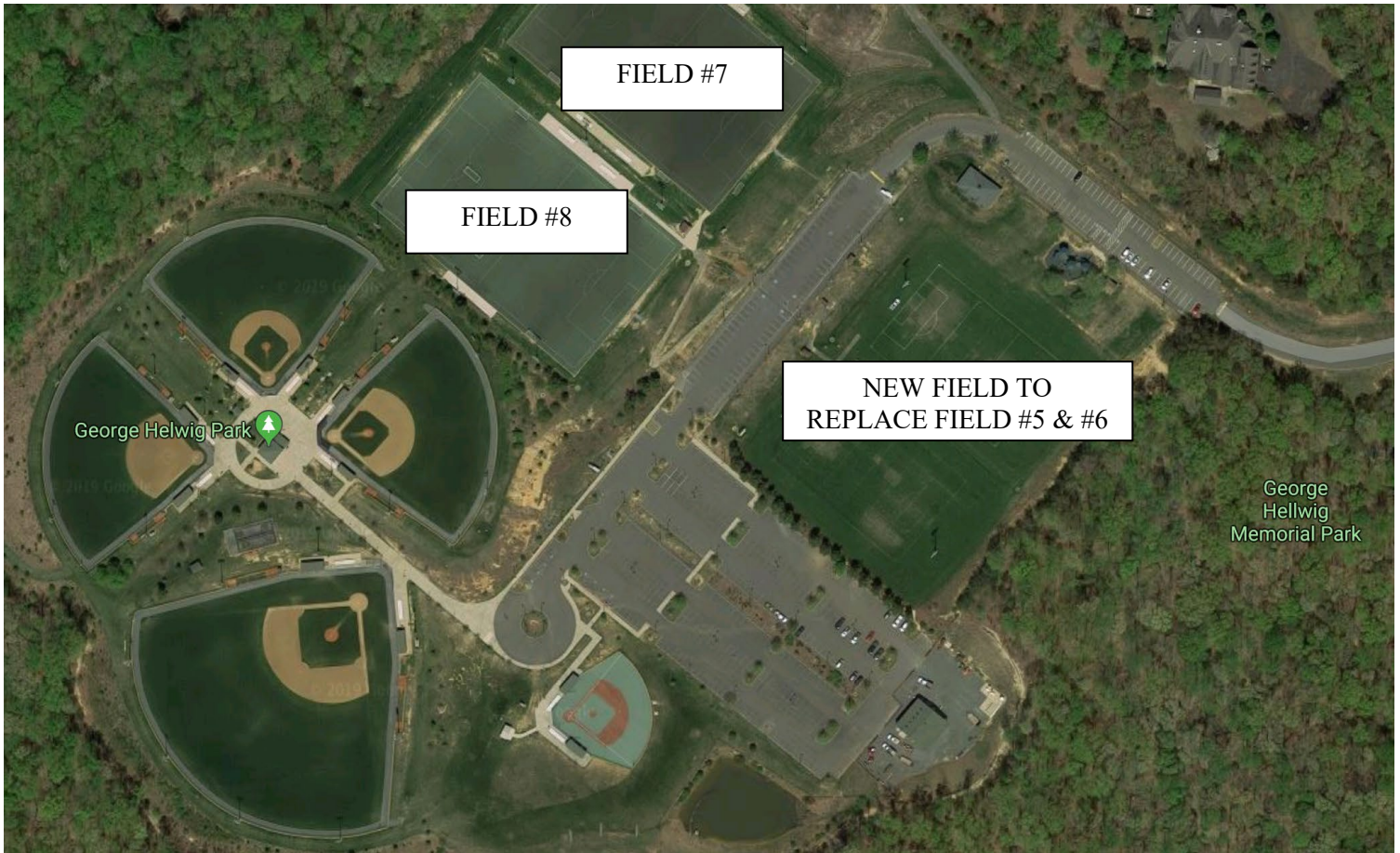


EXHIBIT 3
MINIMUM FIELD RESERVATION PERCENTAGES FOR 3RD PARTY USE

Season	Time-Periods	Available Prime Time	Target % for Third Party Use	Hours Avg.
Fall	Sept 1-Nov 30	700	20%	140
Winter	Dec 1-Feb 28	700	20%	140
Spring	March 1-May 31	700	20%	140
Summer	June 1-August 31	700	20%	140

Prime time field use shall not fall below 20% for the entire season in aggregate, which shall be calculated as the average of all months in each season.

Reserved third party access shall not fall below 10% for a single month.
(See Item #7 – D)

MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-751

RE: AUTHORIZE A RIGHT OF ENTRY AGREEMENT WITH SHIRLEY CONTRACTING COMPANY, LLC IN EXCHANGE FOR CAPITAL IMPROVEMENTS TO ORCHARD BRIDGE PARK – COLES MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors (BOCS) owns a 38.6 acre parcel of land known as Orchard Bridge Park, located at 7175 Centreville Road, Manassas, Virginia; and

WHEREAS, in Fiscal Year 2019, the BOCS approved a Capital Project (19C13009) to develop a Cricket field at Orchard Bridge Park; and

WHEREAS, Shirley Contracting Company, LLC (Shirley) has the contract to widen Route 28 in Fairfax County and has requested the use of three (3) acres at Orchard Bridge Park for material storage, material processing, and temporary offices through July 1, 2023; and

WHEREAS, in exchange for the temporary use of Orchard Bridge Park, Shirley will make improvements to Orchard Bridge Park including an artificial turf cricket pitch, 450 linear feet of fencing, 90 paved parking spaces, and connectivity to water and sewer; and

WHEREAS, the proposed improvements at the Orchard Bridge Park, valued at approximately \$150,000, will provide a higher quality Cricket field than what the current Capital Project budget would allow; and

WHEREAS, staff from the Department of Parks, Recreation, and Tourism (DPRT) engaged with local Cricket leagues to obtain input on the proposed design and gauge support for the project; and

WHEREAS, a Right of Entry (ROE) Agreement is required for Shirley to utilize County-owned property and the inclusion of real property improvements requires BOCS approval; and

WHEREAS, the ROE spells out the conditions for Shirley's private use of the property; and

WHEREAS, approving the ROE Agreement will allow staff to complete the development of a Cricket field at Orchard Bridge Park project with minimal use of County Funds, allowing the \$41,705 balance in the Capital account to be used towards amenities to compliment the improvements made by Shirley;

November 17, 2020
Regular Meeting
Res. No. 20-751
Page Two

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Right of Entry Agreement with Shirley Contracting Company, LLC in exchange for Capital Improvements to Orchard Bridge Park;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Department of Parks, Recreation, and Tourism Director to execute the agreement to the intent of this resolution as reviewed and approved as to form by the County Attorney's Office.

ATTACHMENTS: Right of Entry Agreement with Shirley Contracting Company, LLC
Insurance Requirements

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

RIGHT-OF-ENTRY AGREEMENT

The Board of County Supervisors of Prince William County (the Board), Owner of property located at 7175 Centreville Road, Manassas, Virginia, GPIN# 7897-36-4699 (Premises) hereby grants unto Shirley Contracting Company, LLC (Shirley), its officers, employees, contractors, agents, and assigns, the non-exclusive right to enter the Premises for purposes and activities related to the construction, temporary material storage, material processing and handling, and temporary offices, in connection with the Route 28 Widening Project (Project) as set forth herein and also in accordance with the Additional Terms and Conditions attached hereto, incorporated into, and made a part of this Right-of-Entry Agreement (Agreement).

Shirley shall promptly notify the Board of any hazardous or dangerous conditions on the Premises which Shirley is aware of or becomes aware of while working on the Premises.

To the extent permitted by law, the Board shall indemnify, defend at its own expense, and hold harmless Shirley, and its officers, agents, and employees, from suits, actions, or claims brought for or on account of any injuries or damages received or sustained by any person, persons, or property resulting from or arising out of the Public or Board's use of the adjacent field, parking areas or public grounds on the above described Premises.

This Agreement is entered into with the free consent of the Board, who has the sole right to grant permission for the purposes stated herein.

This Agreement shall be effective commencing upon the date that both the Board and Shirley have executed this Agreement and shall continue in effect until the earlier of completion of the Project, Shirley's completion of their work on the parcel, or at any time by either parties, at which time this Agreement will terminate.

This Agreement may be terminated with cause by the Board, upon 90 calendar days' written notice to Shirley.

This Agreement is granted this ____ day of _____, 2020 by the Board of County Supervisors of Prince William County.

BY: _____ (SEAL)
Seth Hendler-Voss, Director of Parks and Recreation

DATE: _____

The Agreement is approved and accepted on behalf of Shirley Contracting Company, LLC

BY: _____ (SEAL)

DATE: _____

PRINTED: _____

TITLE: _____

ADDITIONAL TERMS AND CONDITIONS

1. Scope of Activities. Shirley, its officers, employees, agents, and contractors may undertake the activities, and bring onto the Premises and operate any equipment, that are related to the temporary laydown use of the property. This includes, but is not limited to temporary offices, material storage, material processing, material handling, and equipment storage, generally located within a 3-acre area in the northern portion of the property (Exhibit A).
2. Condition. Shirley shall ensure that, at all times, the Premises shall be left in a clean, orderly, and safe condition by Shirley, its officers, employees, contractors, and agents.
3. Permits. Any necessary permits, including by not limited to, building, land disturbance, and stormwater permits shall be acquired and paid for by Shirley Contracting for the work required for Shirley's uses of the property.
4. Code of Ordinance Compliance—Shirley shall follow all County ordinances during use of the property.
5. Repair. At the conclusion of work on the Premises, Shirley shall promptly repair any damage to the Premises caused by or resulting from work performed by Shirley.
6. Insurance. Shirley shall purchase from and maintain in a company or companies lawfully authorized to do business in Virginia and satisfactory to the Owner, insurance in accordance with the Insurance Checklist (attached). On all such policies, the Prince William County Board of County Supervisor as the governing body shall be named as an Additional Insured.
7. Term of Agreement. The term of this agreement will expire on July 31, 2023. Extension for the term will be negotiated between parties 30 days before the expiry of the agreement.
8. Restoration. Shirley shall promptly restore, to the extent reasonably possible, the Premises to a condition similar to the condition existing before Shirley's construction activities commenced or as mutually agreed to by both parties, including, but not limited to, the removal of all Shirley equipment, materials, and supplies from the Premises.
9. Improvements. Shirley shall make the following improvements to the property within ninety (90) days prior to vacating the premises as detailed in the attached proposal:
 - a. Termination of Water, Sewer, Power Service in a manner to facilitate future tie ins if desired by the Board of County Supervisors of Prince William County
 - b. to create no less than 90 parking spaces, including the requisite ADA accessible stalls and signage and all striping.
 - c. Construction of one artificial turf Cricket Pitch in a mutually agreeable location

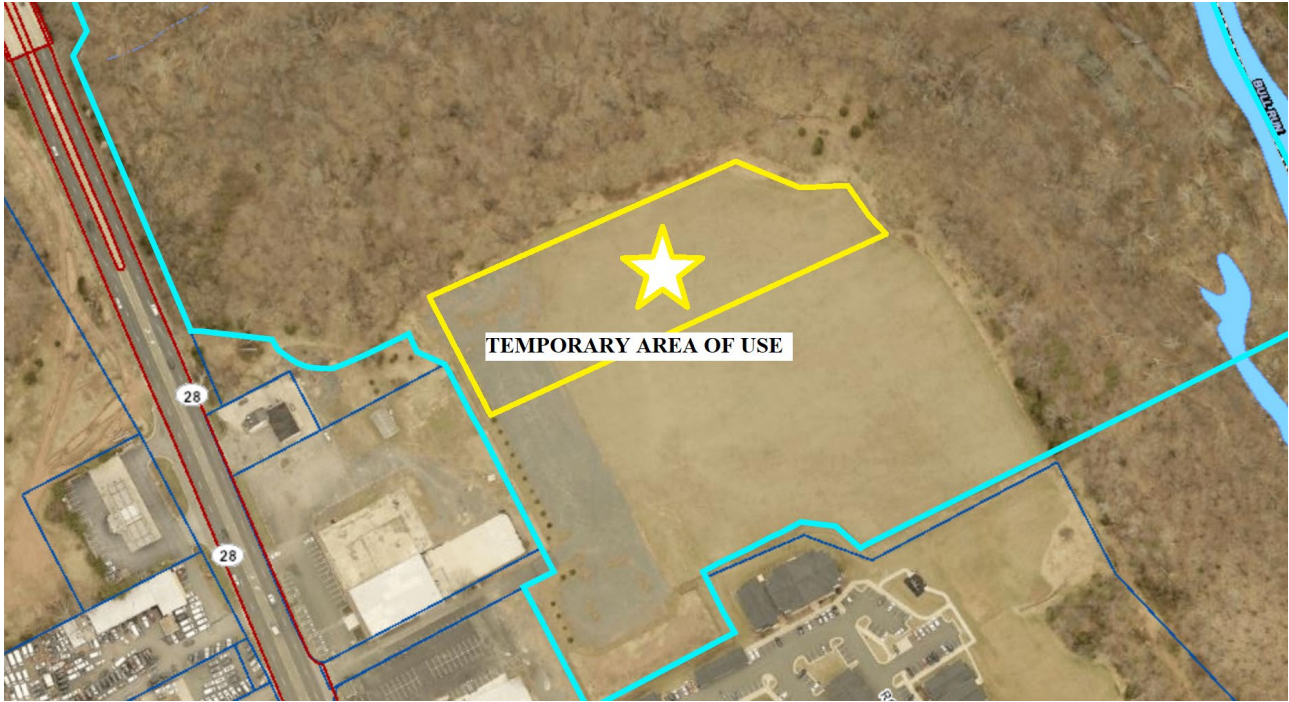
- d. Construction of approximately 1400 LF of 6' galvanized chain link fence around the proposed Cricket Field
- e. topographical survey of the field and parking area at 2' intervals. Shirley shall make all good faith efforts to complete the aforementioned improvement by April, 2021.

Public Access. Shirley shall maintain safe public access to the portion of the property not used for construction during the Agreement period.

Attachment:

- 278_ORCHARD BRIDGE PARK PROPOSAL REV #1_10-2-20; Exhibit A; Insurance Checklist

Exhibit A



Insurance Requirements		
OVERALL CERTIFICATE REQUIREMENTS:		
Requirement		Compliance
Seller's Name matches Agreement		
All insurers AM Best Rating: A- VIII or better		
"A waiver of subrogation in favor of Prince William County is applicable to all policies including Workers' compensation and Employer's liability. Prince William County, its officers, directors, agents and employees are included as additional insureds on the general liability policy with a cross liability clause in effect on their behalf. "This Coverage is primary to all other coverages the County may possess"		
All policies except Professional Liability, Workers' Compensation and Employer's Liability shall include Prince William County, all vendors and subcontractors as additional insureds with waivers of subrogation on behalf of all insureds		
Notice of Cancellation: An Endorsement that states: "The Certificate Holder will receive 30 days notice of cancellation, except 10 days notice of cancellation due to non-payment of premium"		
SELLER'S INSURANCE REQUIREMENTS		
TYPE OF COVERAGE	MINIMUM LIMIT	Compliance
Commercial General Liability		
Bodily Injury and Property Damage	\$1,000,000 per occurrence	
	\$2,000,000 General Aggregate	
Personal & Advertising Injury	\$1,000,000 per occurrence	
Products – Completed Operations	\$2,000,000 Aggregate	
XCU Property Damage	Not excluded	
Fire Legal Liability	\$300,000	
Medical Payments to Others	\$10,000	
Additional insured box	Checked	
Waiver of Subrogation box	Checked	
Comprehensive Automobile Liability		
Bodily Injury And Property Damage	\$1,000,000 Combined Single Limit Each Occurrence	
Any Auto – OR – Owned, Hired and Non-Owned	Checked	
Additional insured box	Checked	
Waiver of Subrogation box	Checked	
Contractors Pollution Liability		
Environmental Damage	\$1,000,000 per occurrence	
	\$2,000,000 Aggregate	
Must include Transportation Coverage for contractor and third-party vehicles moving hazardous materials		
Must include coverage for Non-Owned Disposal Sites		
Prince William County to be additional insured on the CPL policy		
Umbrella/Excess Liability		
Each Occurrence and Aggregate	For contracts valued at more than \$500,000: sufficient to bring all liability limits, including CPL, up to \$5,000,000 For contracts valued at more than \$5 million sufficient to bring all liability limits up to \$10,000,000	
Umbrella box	Checked	
Occurrence box	Checked	

Additional insured box	Checked	
Waiver of Subrogation box	Checked	
Workers' Compensation & Employer's Liability		
Statutory box	Checked	
Waiver of Subrogation box checked	Checked	
Each Accident	\$500,000	
Disease – Each Employee	\$500,000	
Disease – Policy Limit	\$500,000	

MOTION: ANGRY

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-752

RE: AUTHORIZE ACCEPTANCE BY THE PRINCE WILLIAM COUNTY FIRE AND RESCUE SYSTEM CONSOLIDATED INCIDENT COMMAND SYSTEM BOARDS VALUED AT \$2,900 FROM THE NORTHERN VIRGINIA EMERGENCY RESPONSE SYSTEM FUNDED BY THE DEPARTMENT OF HOMELAND SECURITY URBAN AREAS SECURITY INITIATIVE

ACTION: APPROVED

WHEREAS, the Fire and Rescue Departments of Northern Virginia (NOVA) has received a Grant from Fiscal Year 2019 Homeland Security Grant Program through the Urban Area Security Initiative (UASI) to purchase new Incident Command System (ICS) Boards; and

WHEREAS, the Prince William County Fire and Rescue System is a member of the Fire and Rescue Departments of Northern Virginia; and

WHEREAS, the Prince William County Fire and Rescue System has adopted the new Consolidated Incident Command Boards of the Fire and Rescue Departments of Northern Virginia's Command Officer Operations manual ; and

WHEREAS, the Prince William County Fire and Rescue System has received a total cache of 40 large ICS boards and 40 small ICS boards in the amount of \$2,900 from the Fire and Rescue Departments of Northern Virginia; and

WHEREAS, to remain current with NOVA Fire and Rescue Departments, the Prince William County Fire and Rescue System requires the new ICS Boards to enhance the primary goal of an effective command structure during emergency incidents;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby authorizes acceptance by the Prince William County Fire and Rescue System consolidated Incident Command System (ICS) boards valued at \$2,900 from the Northern Virginia Emergency Response System funded by the Department of Homeland Security Urban Areas Security Initiative;

BE IT FURTHER RESOLVED that the County Executive, or his designee, is authorized to sign all necessary documents to effectuate the purpose of this resolution, after the documents have been approved as to form by the County Attorney's Office.

November 17, 2020

Regular Meeting

Res. No. 20-752

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Fire and Rescue System Chief

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: LAWSON

November 17, 2020

SECOND: CANDLAND

Regular Meeting

Res. No. 20-753

**RE: AUTHORIZE A DEED OF RESERVATION AND VACATION FOR A STORMWATER
MANAGEMENT AREA AT ROLLINS FORD PARK – BRENTSVILLE MAGISTERIAL
DISTRICT**

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors (BOCS) owns the parcel of land located at 14500 Rollins Ford Road, Nokesville, VA, 20181, GPIN 7396-20-4987: and

WHEREAS, in July 2016, via Resolution Number 16-600, the BOCS approved the construction of Rollins Ford Park; and

WHEREAS, the construction documents are complete, all permits have been issued, and staff is preparing to bid the project; and

WHEREAS, the project includes improvements to an existing stormwater pond; and

WHEREAS, the County's land development policy requires dedicated Storm Water Management and storm water infrastructure to be placed in reservation areas via deed, which are held and monitored by the Environmental Services Division, and vacation of the existing easement for Storm Water Management; and

WHEREAS, the attached plat prepared by Rinker Design Associates, P.C., dated May 6, 2019, and last revised September 30, 2020 (Plat), depicts the location of the various storm drainage, SWM ingress-egress and stormwater management and BMP reservations areas required for the project; and

WHEREAS, the purpose of the Plat and an accompanying Deed of Reservation and Vacation is to ensure that future development does not impinge on the components of the storm water drainage infrastructure;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves the Plat and an accompanying Deed of Reservation and Vacation in order to satisfy development requirements for the construction of Rollins Ford Park;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Chair and Clerk to the Board to execute the Plat and any other documents necessary, as approved as to form by the County Attorney's Office, to create the required reservation areas as depicted on the Plat.

ATTACHMENT: RDA, P.C. Plat dated May 6, 2019, and last revised September 30, 2020

November 17, 2020

Regular Meeting

Res. No. 20-753

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

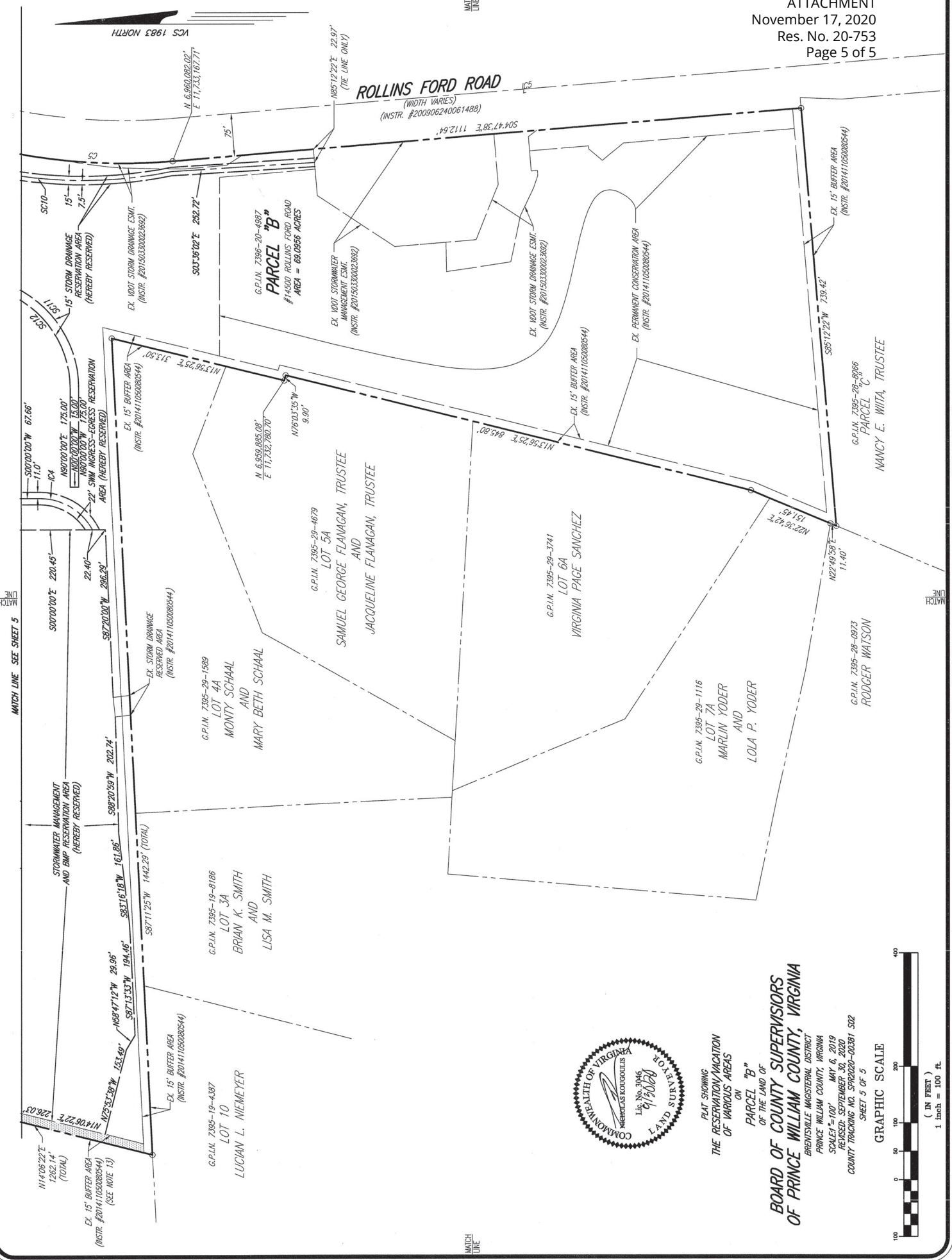
ATTEST: _____

Andrea P. Madden

Clerk to the Board

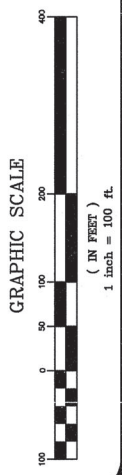


ATTACHMENT
November 17, 2020
Res. No. 20-753
Page 5 of 5



PLAT SHOWING
THE RESERVATION/VACATION
OF VARIOUS AREAS
ON
PARCEL "B"
OF THE LAND OF
BOARD OF COUNTY SUPERVISORS
OF PRINCE WILLIAM COUNTY, VIRGINIA

BRENSVILLE MAGISTERIAL DISTRICT
PRINCE WILLIAM COUNTY, VIRGINIA
SCALE: 1"=100'
REVISED: SEPTEMBER 30, 2020
COUNTY TRACKING NO. SPR2020-00381_S02
SHEET 5 OF 5



MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-754

RE: AUTHORIZE CONVEYANCE OF VARIOUS EASEMENTS OVER COUNTY-OWNED PROPERTY LOCATED AT 1 COUNTY COMPLEX COURT AND 7 COUNTY COMPLEX COURT IN CONNECTION WITH THE SPITTLE OFFICE BUILDING ADDITION PROJECT, PLAN SPR2020-00206 - OCCOQUAN MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Prince William County Service Authority (PWCSA) Spittle Office Building Addition, Plan Number SPR 2020-00206 (Project), involves constructing a three-story, 41,766 square-foot addition, 100 additional parking spaces, landscaping, an outdoor seating area, a new employee entrance from the parking lot, and a new vehicular entrance connected to County Complex Court; and

WHEREAS, the Project will include underground stormwater management designed for Leadership in Energy and Environmental Design Certification; and

WHEREAS, the Project will also preserve existing wetlands on-site; and

WHEREAS, the Spittle Office Building Addition (Addition) has two stories that align with the existing building floor levels and adds a lower level at below grade; and

WHEREAS, the Addition is designed to appear as a seamless extension of the existing building, while incorporating more contemporary glass elements; and

WHEREAS, the Addition is designed with complimentary architecture and includes brick features to have synergy with the existing PWCSA building as well as glass to blend-in and preserve the integrity of both the Spittle complex and County complex community as a whole; and

WHEREAS, the Project requires conveyance of an ingress and egress easement on County-owned property located at 1 County Complex Court to PWCSA, a temporary grading and storm drainage easement to PWCSA, and a utility easement to Dominion Energy Virginia (DEV) on County-owned property located at 7 County Complex Court, (collectively, Various Easements); and

WHEREAS, PWCSA and DEV have requested the Various Easements; and

WHEREAS, a public hearing was approved October 20, 2020, via Resolution Number 20-711, and has been duly advertised for this purpose and was conducted on November 17, 2020, pursuant to Section 15.2-1800(B) and Section 15.2-1813 VA Code Annotated for this purpose and all interested citizens were heard; and

November 17, 2020
Regular Meeting
Res. No. 20-754
Page Two

WHEREAS, County staff recommends authorizing conveyance of an ingress and egress easement to Prince William County, Service Authority on County-owned property located at 1 County Complex Court, conveyance of a temporary grading and storm drainage easement to Prince William County Service Authority, and conveyance a utility easement to Dominion Energy Virginia on County-owned property located at 7 County Complex Court; and

WHEREAS, the Board finds that conveyance of the easements secures and promotes the health, safety, and general welfare of the County and its residents;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby authorizes conveyance an ingress and egress easement to Prince William County Service Authority on County-owned property located at 1 County Complex Court, conveyance of a temporary grading and storm drainage easement to Prince William County Service Authority, and conveyance a utility easement to Dominion Energy Virginia on County-owned property located at 7 County Complex Court in the Occoquan Magisterial District, all as set forth on the plats attached hereto;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Director of Transportation, or his designee, to execute such documents that are necessary and/or appropriate to affect the intent of this resolution and are approved as to form by the County Attorney's Office.

ATTACHMENTS: Plat Showing Various Easements on the Property of Prince William County Supervisors and 7 County Complex Court), Occoquan Magisterial District, Prince William County, Virginia, dated March 9, 2020, by Ross-France Civil Engineering-Land Surveying, Inc.
Plat to Accompany Right-Of-Way Agreement, dated October 27, 2020, by Virginia Electric and Power Company, dba Dominion Energy Virginia
Vicinity Map

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

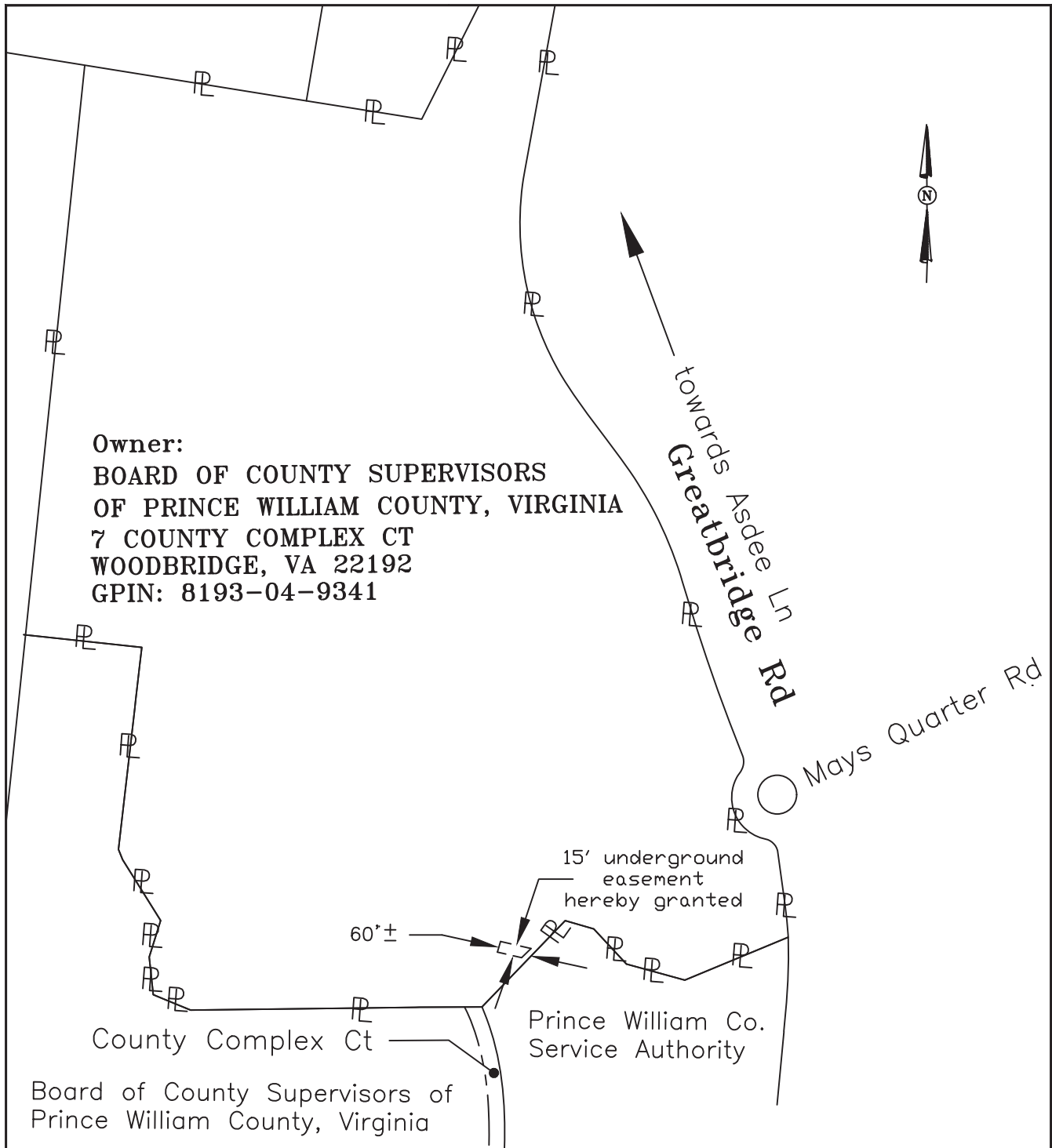
For Information:

Transportation Director
County Attorney

ATTEST: _____

Andrea P. Madden

Clerk to the Board



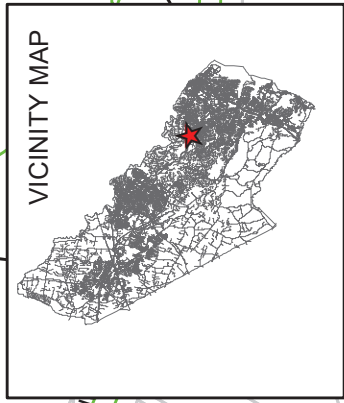
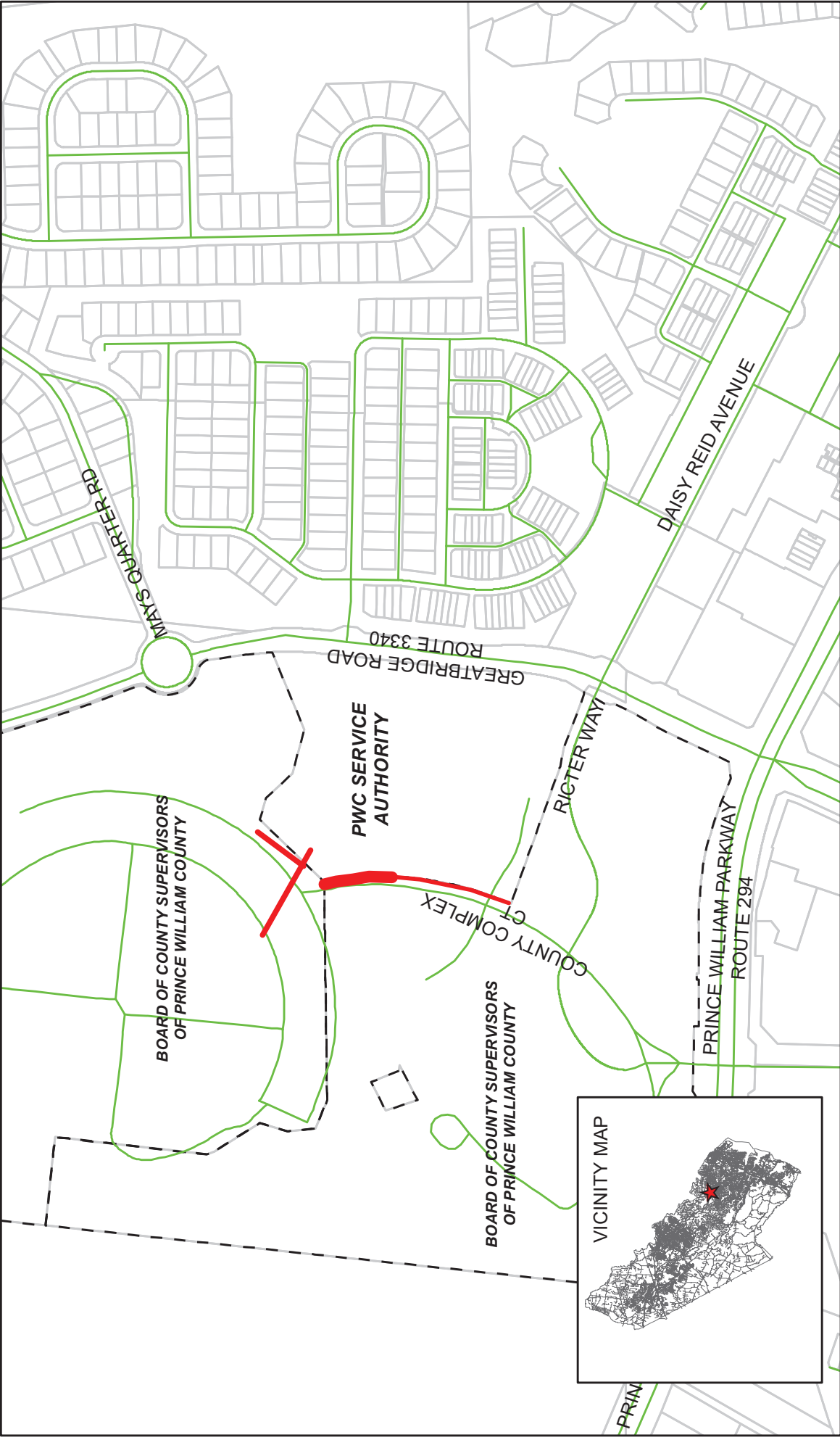
LEGEND --- Location of Boundary Lines of Right-of-Way 15' in Width. =P= Indicates Property Line is Right-of-Way Boundary 15' in Width.	District WOODBRIDGE	Scale NTS	PLAT TO ACCOMPANY RIGHT-OF-WAY AGREEMENT UG VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Energy Virginia Page XX of XX
	District-Township-Borough County-City State OCCOQUAN DIST PRINCE WM. CO. VA	Office WOODBRIDGE	
	Estimate Number 10308986	Grid Number C0308	
10/27/2020	SINDHU JOSEPH / J. WEST		OWNER INITIALS _____



NORTH

**VARIOUS EASEMENTS - PRINCE WILLIAM COUNTY SERVICE AUTHORITY
SPITTLE OFFICE BUILDING ADDITION**

NOVEMBER 17, 2020



MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-755

RE: AUTHORIZE CONDEMNATION AND EXERCISE QUICK-TAKE POWERS, IN ACCORDANCE WITH CHAPTER 3 OF TITLE 25.1 OF THE VIRGINIA CODE, TO ACQUIRE PROPERTY INTERESTS AND VARIOUS EASEMENTS ON PROPERTY LOCATED AT 7501 BETHLEHEM ROAD IN CONNECTION WITH THE BALLS FORD ROAD WIDENING PROJECT – GAINESVILLE MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Balls Ford Road Widening Project (Project) widens the 1.2-mile section of Balls Ford Road (Doane Drive to Ashton Avenue) to a four-lane divided roadway with a sixteen 16-foot wide grass median to add much needed capacity to the system, and the construction of a ten-foot wide shared use path along with a five-foot wide concrete sidewalk along the south and north side of the road. This Project was approved by the Board of County Supervisors on April 10, 2018, via Resolution Number 18-221; and

WHEREAS, the design for construction of the Project is such that the County needs to acquire 15,072 square feet of land for public street dedication, 1,410 square feet of land for a permanent storm drainage easement, 15,087 square feet of land for a permanent Virginia Department of Transportation (VDOT) and Northern Virginia Electric Cooperative (NOVEC) utility easement, 25,621 square feet of land for a temporary construction easement, and 4,435 square feet of land for a temporary construction easement for ductbank on property located at 7501 Bethlehem Road, owned by NVC Development, LLC (Owner), all as set forth on the plat attached hereto; and

WHEREAS, based on an independent appraisal, County staff offered \$283,900 to the Owner to acquire the necessary property interests on their property located at 7501 Bethlehem Road; and

WHEREAS, County staff has made a bona-fide, but ineffectual effort to purchase the necessary property interests from the Owner, and in order to meet Project deadlines and eliminate Project delays and costs, has recommended to the Prince William Board of County Supervisors authorizing condemnation and exercising quick-take powers; and

WHEREAS, although County staff has been unsuccessful in negotiating a final settlement to acquire the necessary property interests, County staff will continue to negotiate toward a settlement; and

WHEREAS, a public hearing has been duly advertised for this purpose and was conducted on November 17, 2020, pursuant to Section 15.2-1905(C) VA Code Ann., and all interested citizens were heard; and

November 17, 2020
Regular Meeting
Res. No. 20-755
Page Two

WHEREAS, \$61,903,295 is currently available in the Project #18C17012 budget. The total fiscal impact is \$283,900. This amount is sufficient to authorize the expenditure and matches the independently appraised fair market value of the property interests offered to the Owner;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby finds that public necessity exists for the condemnation of the property and easements for construction of the Balls Ford Road Widening Project and for the immediate exercise of its quick-take powers to enter upon and take possession prior to the condemnation proceedings to immediately acquire 15,072 square feet of land for public street dedication, 1,410 square feet of land for a permanent storm drainage easement, 15,087 square feet of land for a permanent Virginia Department of Transportation and Northern Virginia Electric Cooperative utility easement, 25,621 square feet of land for a temporary construction easement, and 4,435 square feet of land for a temporary construction easement for ductbank on property owned by NVC Development, LLC, located at 7501 Bethlehem Road, all as set forth on the plat attached hereto;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the County Attorney, after payment into the Prince William County Circuit Court of the appraised value of the property and easements and upon filing of the Certificate of Taking, to proceed with the condemnation of the required property interests for the Balls Ford Road Widening Project by quick-take condemnation, or otherwise as provided by law;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the County Executive and the Director of Finance, or their designees, to sign the Certificate of Taking necessary for filing in Court and to disburse the appraised value in the amount of \$283,900 for the property interests on the Owner's property located at 7501 Bethlehem Road and upon filing of the Certificate of Taking, deposit said amount at the Court in connection with the quick-take condemnation process on behalf of the Prince William Board of County Supervisors in accordance with the law;

BE IT FURTHER RESOLVED that the Department of Transportation will maintain all supporting documents related to the acquisition of the property and easements to assure that approval does not exceed authority limits;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Director of Transportation, or his designee, to execute such documents that are necessary to affect the intent of this resolution and are approved as to form by the County Attorney's Office.

November 17, 2020
Regular Meeting
Res. No. 20-755
Page Three

ATTACHMENTS: Plat Showing Street Dedication and Various Easements for the Construction and Maintenance of Balls Ford Road on the Land of NVC Development, LLC, Gainesville Magisterial District, Prince William County, Virginia, Prepared by Rinker Design Associates, P.C., Dated January 17, 2020, Revised July 22, 2020 Vicinity Map

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Transportation Director

County Attorney

ATTEST: _____

Andrea P. Madden

Clerk to the Board

OWNER'S CONSENT AND DEDICATION

THE BATTING OR DEDICATION OF THE LAND SHOWN HEREON, AND AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETOR(S) AND TRUSTEE(S), IF ANY, THE UNDERSIGNED HEREBY EXPRESSLY CONSENT(S) TO THE DEDICATION TO THE BOARD OF COUNTY SUPERVISORS, IN FREE SIMPLE ABSOLUTE, ALL AREAS SHOWN ON THIS PLAT FOR ROADS AND/OR STREETS AS MAY BE IDENTIFIED BY SPECIFIC USE OF NAME OR BY THE GENERAL DESIGNATION FOR PUBLIC USE, AND FURTHER CONSENT(S) TO THE DEDICATION OF ANY EASEMENT INDICATED ON SUCH PLAT FOR STORM DRAINAGE, TEMPORARY CONSTRUCTION, TEMPORARY CONSTRUCTION FOR DUCTBANK AS SHOWN HEREON, AND FURTHER CONSENT(S) TO VDOT AND THE APPROPRIATE UTILITY COMPANY THE UTILITY EASEMENTS AS SHOWN HEREON.

OWNER'S SIGNATURE _____ TITLE _____
 PRINT NAME _____ DATE _____

NOTARY CERTIFICATE

COMMONWEALTH OF VIRGINIA, CITY/COUNTY OF _____ DAY OF _____ 20____, I, _____ DO HEREBY CERTIFY THAT THE SIGNATURE OF _____ TO THIS SUBSCRIBED AND ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____
 NOTARY REGISTRATION NUMBER _____

SURVEYOR'S CERTIFICATE

I, NICHOLAS VOUGOULLIS, A DAILY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA DO HEREBY CERTIFY THAT THE PROPERTY SHOWN HEREON IS NOW IN THE NAME OF NVC DEVELOPMENT, LLC AS RECORDED IN INSTRUMENT #20200600051655 AMONG THE LAND RECORDS OF PRINCE WILLIAM COUNTY, VIRGINIA.
 I FURTHER CERTIFY THAT THE BOUNDARY OF THE PROPERTY SHOWN HEREON IS CORRECTLY SHOWN AND IDENTIFIED BY THE FIELD-TIED MONUMENTATION CLOSING MATHEMATICALLY WITH REASONABLE BATHYMETRIC DATA OR EQUAL TO 1:10,000 AND IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 (NAD 83) FIELD SURVEY WHICH TIES TO THE BOUNDARY OF THE MONUMENT NO. 09 (TALCOE). BROWN PAGES WILL BE SET AT ALL NEW PROPERTY CORNERS IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE AND SECTION 120.00 OF THE PRINCE WILLIAM COUNTY DESIGN AND CONSTRUCTION STANDARDS MANUAL.

GIVEN UNDER MY HAND AND SEAL THIS 22ND DAY OF JULY, 2020.

NICHOLAS VOUGOULLIS
 LAND SURVEYOR
 11100 ENDAVIOR COURT
 SUITE 200
 MANASSAS, VA 20109



NOTES

- THE GEOGRAPHIC PARCEL IDENTIFICATION NUMBERS FOR THE PROPERTY SHOWN HEREON IS 7597-73-5556. THE PROPERTY SHOWN HEREON IS ZONED M-1.
- NO TITLE REPORT FURNISHED. THIS PLAT IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD IF ANY. ALL UNDERLYING EASEMENTS MAY NOT BE INDICATED ON THIS PLAT.
- THE PLAT OF THE PROPERTY SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM (NAD 83) AS COMPILED FROM A FIELD SURVEY WHICH TIES TO THE PROPERTY BOUNDARY TO THE MONUMENT NO. 09 (TALCOE). THE GRID FACTOR OF THIS SURVEY IS 0.9999999999999999. THE FIELD DISTANCES TO BE USED TO LOCATE THE REFERENCED CORNER MARKS IS 0.9999999999999999 UNLESS OTHERWISE STATED. THE PLAT DISTANCES SHOWN ARE INTENDED TO BE HORIZONTAL DISTANCES MEASURED AT THE MEAN ELEVATION OF THIS PROPERTY. THE BENCHMARKS SHOWN ARE REFERENCED TO THE VES 1983 GRID NORTH. THE FOOT DEFINITION USED FOR THE COMVERSION OF THE MONUMENT IS THE U.S. SURVEY FOOT OR 1' = 0.3048006096 METERS.
- ALL TEMPORARY CONSTRUCTION EASEMENTS TO BE NULL AND VOID AT SUCH TIME AS THE IMPROVEMENTS ARE COMPLETE.
- THE PRINCE WILLIAM COUNTY DEPARTMENT OF TRANSPORTATION SHALL ASSUME RESPONSIBILITY FOR THE MAINTENANCE OF THE STORM DRAINAGE SYSTEMS CONTAINED IN THIS EASEMENT PROPERTY DEDICATED FOR PUBLIC USE. THE MAINTENANCE RESPONSIBILITY OF THE DEPARTMENT OF TRANSPORTATION FOR THE STORM DRAINAGE SYSTEM SHALL BE TRANSFERRED TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) UPON ACCEPTANCE OF THE ROAD IMPROVEMENTS BY THE STATE.
- THE CONSTRUCTION OF FENCES AND OTHER PERMANENT STRUCTURES/OBSTACLES IS PROHIBITED WITHIN ANY STORM DRAINAGE EASEMENT.
- THAT PORTION OF THE EXISTING WATERLINE EASEMENT AS RECORDED IN DEED BOOK 1615 AT PAGE 1460 THAT LIES WITHIN THE STREET DEDICATION SHOWN HEREON IS TO BE VACATED BY SEPARATE INSTRUMENT.
- THAT PORTION OF THE EXISTING 30" WATER EASEMENT AS RECORDED IN DEED BOOK 1827 AT PAGE 643 THAT LIES WITHIN THE STREET DEDICATION SHOWN HEREON IS TO BE VACATED BY SEPARATE INSTRUMENT.

PROPERTY LINES

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	405.24'	157.25'	156.51'	N67°10'37"W	172°04.1"
C2	843.61'	367.16'	359.39'	N55°14'12"E	243.60°"
C3	3016.66'	111.25'	56.63'	N45°46'15"W	278.24°"
C4	1034.60'	153.81'	152.29'	N52°07'06"W	235.14°"
C5	1034.60'	305.91'	303.70'	N02°40'03"E	272.07°"

PROPERTY LINES

LINE	BEARING	LENGTH	CHORD	BEARING	DELTA
L1	N22°27'49"W	154.03'	154.03'		
L2	N67°20'12"E	69.85'	69.85'		
L3	N50°50'35"W	5.00'	5.00'		
L4	N05°09'25"E	46.77'	46.77'		
L5	N05°05'15"W	6.43'	6.43'		
L6	N20°11'19"W	26.38'	26.38'		
L7	N52°09'05"W	43.78'	43.78'		
L8	N05°13'24"W	63.63'	63.63'		
L9	N42°47'30"E	61.35'	61.35'		
L10	N63°26'36"E	61.35'	61.35'		

STORM DRAINAGE EASEMENT

LINE	BEARING	LENGTH	CHORD	BEARING	DELTA
S1	S84°00'12"E	26.44'	26.44'		
S2	S45°08'18"E	116.23'	116.23'		

TEMPORARY CONSTRUCTION EASEMENT

LINE	BEARING	LENGTH	CHORD	BEARING	DELTA
T1	S55°31'44"E	91.27'	91.27'		
T2	S57°31'35"E	150.34'	150.34'		
T3	S47°02'37"E	112.22'	112.22'		
T4	S37°09'09"W	5.41'	5.41'		
T5	S42°54'42"W	26.20'	26.20'		
T6	S37°04'47"W	26.20'	26.20'		
T7	S40°06'48"W	120.80'	120.80'		
T8	S31°25'00"W	68.61'	68.61'		
T9	S60°12'56"W	150.27'	150.27'		
T10	S61°48'08"W	255.50'	255.50'		

MORE AND VOID EASEMENT

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
M1	24.00'	72.60'	72.65'	N89°11'17"E	303.57°"

MORE AND VOID EASEMENT

LINE	BEARING	LENGTH	CHORD	BEARING	DELTA
M1	N41°00'11"E	22.39'	22.39'		
M2	N62°19'29"W	71.08'	71.08'		
M3	S37°16'29"W	14.01'	14.01'		
M4	N37°16'29"E	12.97'	12.97'		
M5	N02°30'22"W	23.29'	23.29'		
M6	N02°30'22"E	17.88'	17.88'		
M7	S32°34'59"W	6.71'	6.71'		
M8	N32°34'59"E	2.09'	2.09'		
M9	N64°49'48"E	3.50'	3.50'		
M10	N04°16'48"E	36.41'	36.41'		
M11	N04°16'48"W	11.44'	11.44'		
M12	N04°16'48"E	41.77'	41.77'		
M13	S05°10'59"W	30.05'	30.05'		
M14	S18°40'14"W	15.15'	15.15'		
M15	S24°10'43"E	21.29'	21.29'		
M16	S05°14'06"W	10.00'	10.00'		
M17	S54°43'52"E	21.39'	21.39'		
M18	S05°16'04"W	23.19'	23.19'		
M19	N18°43'35"W	23.15'	23.15'		
M20	S18°26'20"W	15.11'	15.11'		
M21	N17°13'40"W	124.27'	124.27'		
M22	S05°10'59"W	63.78'	63.78'		
M23	S24°16'48"W	11.48'	11.48'		
M24	S57°25'01"E	22.66'	22.66'		
M25	S37°04'59"W	117.04'	117.04'		
M26	S57°25'01"E	4.89'	4.89'		
M27	N12°51'03"E	12.00'	12.00'		
M28	S32°52'22"E	20.44'	20.44'		
M29	S32°52'22"E	5.38'	5.38'		
M30	N37°06'15"E	18.00'	18.00'		
M31	S37°06'15"W	78.84'	78.84'		
M32	S17°19'29"E	38.67'	38.67'		
M33	S41°20'11"W	38.67'	38.67'		

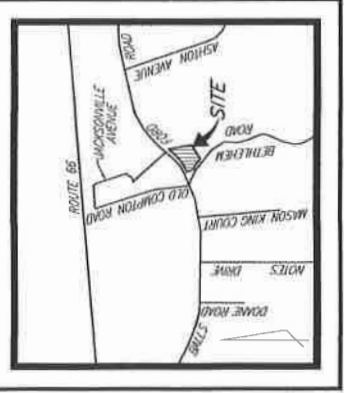
AREA TABULATION

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
STREET DEDICATION	15,072 SQ. FT.	0.344 ACRES
STORM DRAINAGE EASEMENT	1,410 SQ. FT.	0.032 ACRES
VOID AND MORE UTILITY EASEMENT	15,087 SQ. FT.	0.345 ACRES
TEMPORARY CONSTRUCTION EASEMENT	25,621 SQ. FT.	0.588 ACRES
TEMPORARY CONSTRUCTION EASEMENT FOR DUCTBANK	4,435 SQ. FT.	0.101 ACRES

SITE AREA TABULATION

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
TOTAL SITE	232,519 SQ. FT.	5.339 ACRES
STREET DEDICATION	15,072 SQ. FT.	0.344 ACRES
REMAINING AREA	217,447 SQ. FT.	4.991 ACRES

VICINITY MAP
SCALE: 1"=2,000'

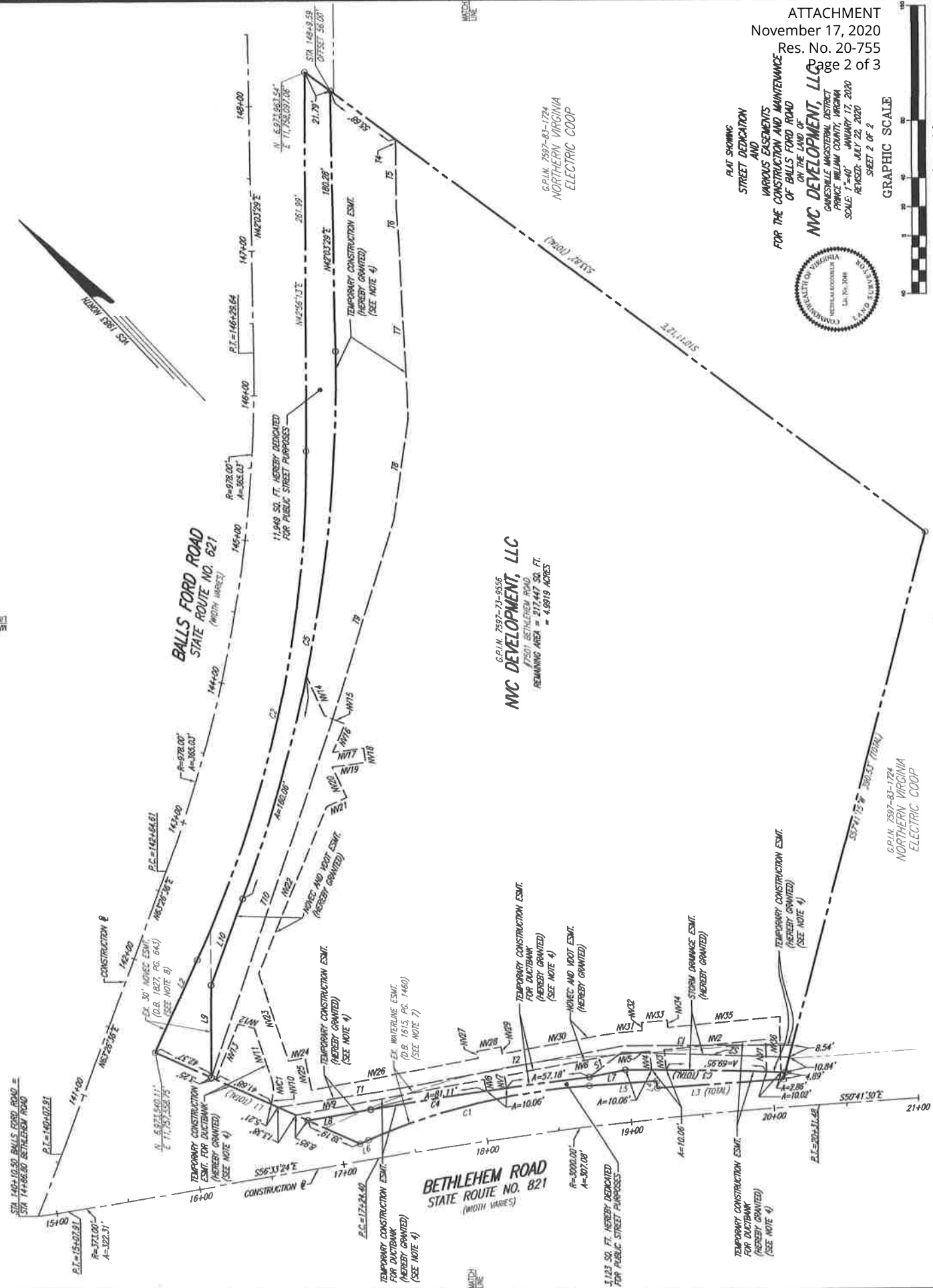


ATTACHMENT
 November 17, 2020
 Res. No. 20-755
 Page 1 of 3

NVC DEVELOPMENT, LLC
 GAINESVILLE INDUSTRIAL DISTRICT
 PRINCE WILLIAM COUNTY, VIRGINIA
 SCALE: 1"=40'
 REVISION: JULY 22, 2020
 SHEET 1 OF 2

GRAPHIC SCALE





Telephone: (703) 368-7373 Fax: (703) 257-5443
 11100 Endeavor Court, Suite 200, Manassas VA, 20108
 Engineering * Surveying * Land Planning * Transportation * Environmental Services

Rinker Design Associates, P.C.



ATTACHMENT
 November 17, 2020
 Res. No. 20-755
 Page 2 of 3

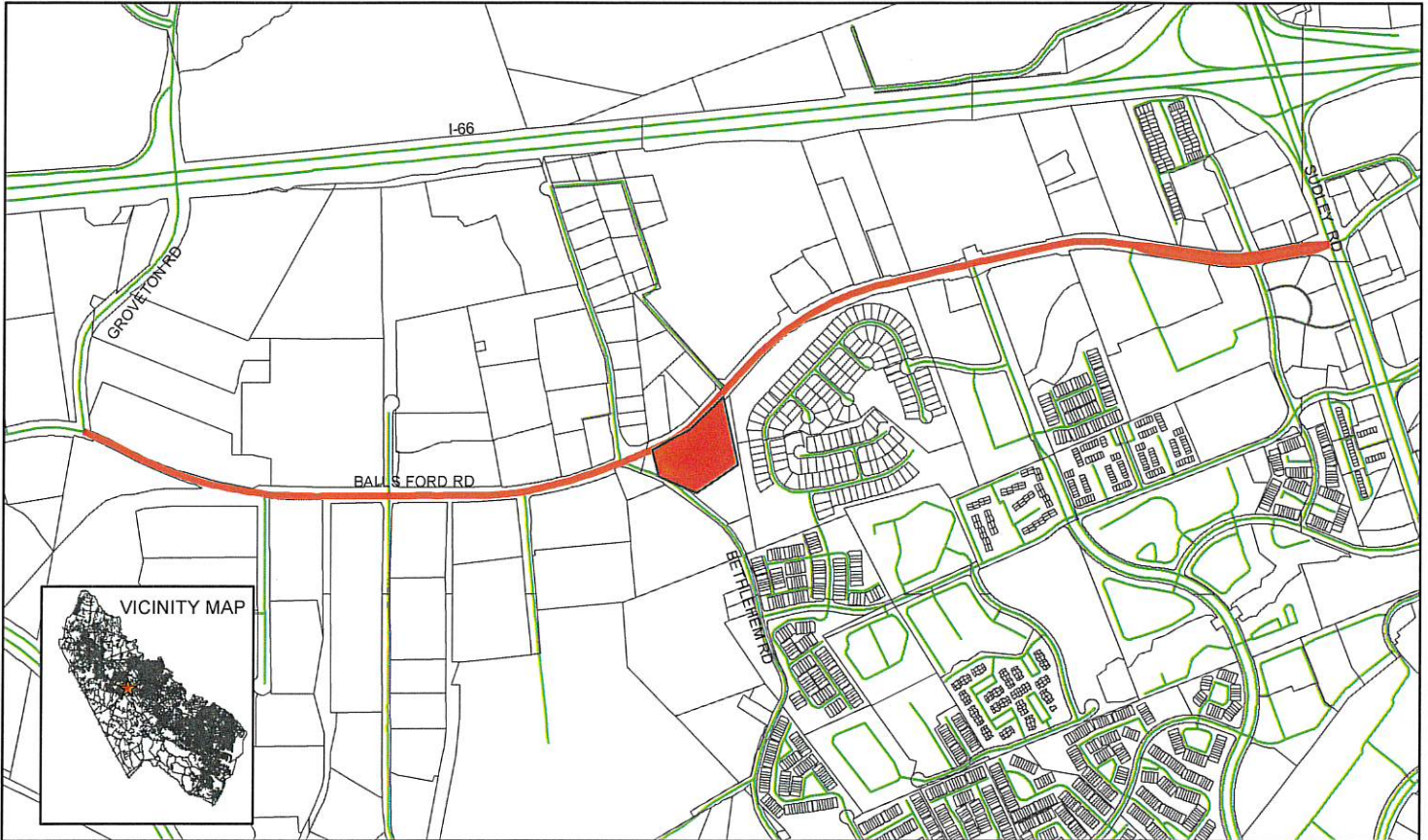
PLAT SHOWING
 STREET DEDICATION
 AND
 VARIOUS EASEMENTS
 FOR THE CONSTRUCTION AND MAINTENANCE
 OF BALLS FORD ROAD
 ON THE LAND OF
NVC DEVELOPMENT, LLC
 GANESVILLE MANORIAL DISTRICT
 PRINCE WILLIAM COUNTY, VIRGINIA
 SCALE: 1"=40' JANUARY 17, 2020
 REVISION: JULY 22, 2020
 SHEET 2 OF 2




G.P.I.N. 7597-75-9556
NVC DEVELOPMENT, LLC
 17501 BETHLEHEM ROAD
 REMAINING AREA = 4,9919 ACRES

G.P.I.N. 7597-83-1724
 NORTHERN VIRGINIA
 ELECTRIC COOP

BETHLEHEM ROAD
 STATE ROUTE NO. 821
 (WITH VARIATIONS)



7501 BETHLEHEM RD 

NOVEMBER 17, 2020



MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-756

RE: TRANSFER, BUDGET, AND APPROPRIATE \$25,000,000 IN STATE FUNDING FROM THE BALLS FORD ROAD INTERCHANGE PROJECT TO THE DEVLIN ROAD WIDENING PROJECT – BRENTSVILLE MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors (Board) on April 10, 2018, via Resolution Number (Res. No.) 18-220, authorized the execution of a County-State agreement for local administration of the Balls Ford Road Interchange (BFRI) Project. The agreement provided approximately \$143,000,000 in state funding for the BFRI Project. The BFRI Project will provide a new grade-separated interchange at Prince William Parkway (State Route 234) and relocated Balls Ford Road (State Route 621), and will include a bridge crossing over the existing Norfolk Southern Railroad. In addition, the BFRI project will construct a relocated Balls Ford Road as a new four-lane roadway with a raised median between Devlin Road and Doane Drive; and

WHEREAS, the Board awarded a \$69,131,000 design-build contract to Lane Construction Corporation, via Res. No. 20-267, on March 10, 2020, for the BFRI Project; and

WHEREAS, on November 5, 2019, the public approved of the transportation bond referendum request, which included \$50,000,000 for the Devlin Road Widening project. On April 28, 2020, via Res. No. 20-333, the Board adopted the Fiscal Year 2021–2026 Capital Improvement Program, which budgeted and appropriated \$4,000,000 in Northern Virginia Transportation Authority 30% funding to the project; and

WHEREAS, the Prince William County Department of Transportation worked through the Virginia Department of Transportation (VDOT) to receive the necessary approval from the Northern Virginia Transportation Authority and the Commonwealth Transportation Board to expand the scope and limits of the BFRI project to include 0.57 miles (University Boulevard to Wellington Road/relocated Balls Ford Road) of the 1.8-mile estimated area of the Devlin Road Widening project (Wellington Road to Linton Hall). This allows the County to transfer \$25,000,000 in state funding from the BFRI Project surplus to the Devlin Road Widening project. All remaining surplus funds on the BFRI Project is to be returned to VDOT; and

WHEREAS, the Devlin Road Widening project consists of widening 1.8 miles of Devlin Road from two to four lanes between Linton Hall Road and Wellington Road/relocated Balls Ford Road. The project is an extension to the BFRI Project and will improve access to the Prince William Parkway and Interstate 66 corridor; and

November 17, 2020
Regular Meeting
Res. No. 20-756
Page Two

WHEREAS, the estimated cost of the Devlin Road Widening Project is \$50,000,000 in proposed debt financing. Transferring, budgeting, and appropriating the \$25,000,000 in surplus state funding from the BFRI Project will bring the total funding to the Devlin Road Widening Project to \$29,000,000, significantly reducing the amount of debt financing required to fund the Devlin Road Widening project;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby transfers, budgets, and appropriates \$25,000,000 in state funding from the Balls Ford Road Interchange Project to the Devlin Road Widening Project in the Brentsville Magisterial District.

ATTACHMENTS: Devlin Road Widening Vicinity Map
VDOT UPC 118253 Appendix A

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Director of Transportation

ATTEST:



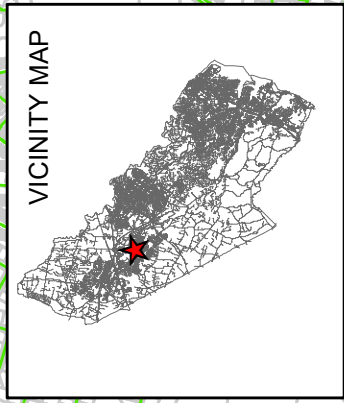
Clerk to the Board



DEVLIN RD WIDENING
0.57 MILES

TOTAL PROJECT 1.8 MILES

NOVEMBER 17, 2020



Appendix A - Breakout Project #1 from UPC 112815

Date: 11/2/2020

Project Number: 0621-076-310 UPC: 1128253 CFDA # N/A Locality: Prince William County

Project Location ZIP+4: 20136-1163	Locality DUNS # 3096740	Locality Address (incl ZIP+4): 5 County Complex Court Prince William, VA 22192-9201
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Project Narrative

Work Description:	Widen Devlin Rd from 2 to 4 lanes divided section from realigned Balls Ford Rd to University Boulevard, including 5' sidewalk and 10' shared use path.		
From:	Terminus of the Balls Ford Road Interchange		
To:	University Boulevard Intersection		
Locality Project Manager Contact info:	Khatab Shammout 703-792-8164	KShammout@pwcgov.org	
Department Project Coordinator Contact Info:	Jeff Daily 703-259-2993	Jeff.Daily@vdot.virginia.gov	

Project Estimates

	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$3,243,872	\$3,968,281	\$17,410,562	\$24,622,715
Estimated VDOT Project Expenses	\$256,128	\$31,719	\$89,438	\$377,285
Estimated Total Project Costs	\$3,500,000	\$4,000,000	\$17,500,000	\$25,000,000

Project Cost and Reimbursement

Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$3,500,000	Concession Funds	0%	\$0	\$3,500,000	
Total PE	\$3,500,000			\$0	\$3,500,000	\$3,243,872
Right of Way & Utilities	\$4,000,000	Concession Funds	0%	\$0	\$4,000,000	
Total RW	\$4,000,000			\$0	\$4,000,000	\$3,968,281
Construction	\$17,500,000	Concession Funds	0%	\$0	\$17,500,000	
Total CN	\$17,500,000			\$0	\$17,500,000	\$17,410,562
Total Estimated Cost	\$25,000,000			\$0	\$25,000,000	\$24,622,715

Total Maximum Reimbursement by VDOT to Locality (Less Local Share)

\$25,000,000

Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)

\$24,622,715

Project Financing

Concession Funds					Aggregate Allocations
\$25,000,000					\$25,000,000

Program and Project Specific Funding Requirements

- This Project shall be administered in accordance with VDOT's Locally Administered Projects Manual
- In accordance with Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual, the locality shall complete project scoping on or before 2/08/2022.
- This is a limited funds project. The LOCALITY shall be responsible for any additional funding in excess of \$25,000,000
- Reimbursement for eligible expenditures shall not exceed funds allocated each year by the Commonwealth Transportation Board in the Six Year Improvement Program.
- This agreement supercedes the original federal aid Project Administration Agreement (executed on 5/9/2018) following reclassification of the project from "Federally Eligible" to "Federally Eligible with Exception". This reclassification was granted with the mutual understanding that 1) The project will not be eligible to receive any future federal funds, 2) any previous NEPA requirements are applicable, and 3) the project must adhere to the Buy America requirements.
- This project is a breakout from parent UPC 112815 and is covered under the parent project agreement executed on 08/30/2018.

This attachment is certified and made an official attachment to this document by the parties to this agreement.

Authorized Locality Official

Date

Ricardo Canizales

Typed or printed name of person signing

Authorized VDOT Official

Date

Ray Burkhardt

Typed or printed name of person signing

MOTION: BAILEY

**November 17, 2020
Regular Meeting**

SECOND: BODDYE

Res. No. 20-757

RE: BUDGET AND APPROPRIATE \$224,231,713.72 FOR THE CARRYOVER OF SCHOOL BOARD FISCAL YEAR 2020 ENCUMBRANCES AND UNENCUMBERED BALANCES TO FISCAL YEAR 2021

ACTION: APPROVED

WHEREAS, purchase order and contract encumbrances were committed from the Fiscal Year 2020 budget; and

WHEREAS, these encumbrances must be re-appropriated into Fiscal Year 2021; and

WHEREAS, the Prince William County School Board approved a resolution requesting the Prince William Board of County Supervisors increase the School Board Fiscal Year 2021 budget and appropriate \$224,231,713.72;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby budgets and appropriates \$224,231,713.72 for the carryover of School Board Fiscal Year 2020 encumbrances and unencumbered balances to Fiscal Year 2021;

Operating Fund	\$ 28,784,677.42
Construction Fund	194,422,734.47
Food Services Fund	890,892.42
Facilities Use Fund	795.67
Imaging Center Fund	6,757.86
Governor's School	28,015.69
SACC Program Fund	1,042.60
Self-Insurance Fund	1,085.00
Health Insurance Fund	61,381.53
Regional Schools Fund	26,976.50
Aquatics Fund	<u>7,354.56</u>
Total	224,231,713.72

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Finance Director and Prince William County Schools Director of Financial Services to adjust this amount downward, if necessary, to accurately reflect actual encumbered amounts at the end of Fiscal Year 2020.

November 17, 2020

Regular Meeting

Res. No. 20-757

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY

**November 17, 2020
Regular Meeting**

SECOND: BODDYE

Res. No. 20-758

RE: TRANSFER, BUDGET, AND APPROPRIATE \$3,240,000 TO THE SCHOOL BOARD OPERATING FUND FROM CORONAVIRUS AID, RECOVERY, AND ECONOMIC SECURITY ACT ALLOCATIONS TO PRINCE WILLIAM COUNTY

ACTION: APPROVED

WHEREAS, on July 21, 2020, the Prince William Board of County Supervisors (Board) transferred \$5,000,000 of Coronavirus Relief Funds (CRF, first allocation) to the Prince William County School Division for the acquisition of computer devices to support distance learning; and

WHEREAS, on September 8, 2020, the Board approved the transfer of \$20,000,000 of CRF funds (second allocation) to the Prince William County School Division to support School reopening initiatives during the coronavirus pandemic; and

WHEREAS, on September 22, 2020, the Board approved the transfer, budget, and appropriation of \$25,000,000 to the School Board Operating Fund for these initiatives; and

WHEREAS, the Prince William County School Board has approved a resolution requesting the Board to transfer, budget and appropriate \$3,240,000 to the School Board Operating Fund for the purpose of providing audio visual equipment to support virtual instruction; and

WHEREAS, \$11,000,000, is available from CRF funds previously allocated for developing Homeless Services Navigation Centers which cannot be fully spent by the CRF deadline of December 30, 2020; and

WHEREAS, the CRF allocation of \$3,240,000 to the Schools shall be expended in accordance with applicable federal and state laws governing the use of CARES Act funding; and

WHEREAS, the requested funding increase requires appropriation by the Board;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby transfers, budgets, and appropriates \$3,240,000 to the School Board Operating Fund from Coronavirus Aid, Recovery, and Economic Security Act allocations to Prince William County;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes a \$3,240,000 transfer from Coronavirus Relief Funds allocated for development of Homeless Services Navigation Centers to the Prince William County School Board Operating Fund.

November 17, 2020

Regular Meeting

Res. No. 20-758

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Prince William County Schools, Associate Superintendent for Finance and Risk Management
Prince William County Finance Director

ATTEST:



Clerk to the Board

MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-759

RE: BUDGET AND APPROPRIATE \$897,711.40 TO THE SCHOOL BOARD OPERATING FUND FROM CORONAVIRUS AID, RECOVERY, AND ECONOMIC SECURITY ACT ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND AND GOVERNOR'S EMERGENCY EDUCATION RELIEF FUNDING ALLOCATED BY THE COMMONWEALTH OF VIRGINIA

ACTION: APPROVED

WHEREAS, on July 17, 2020, the Virginia Department of Education (VDOE) announced the school division application process for Coronavirus Aid, Recovery, and Economic Security (CARES), Elementary and Secondary School Emergency Relief (ESSER) Fund, and the Governor's Emergency Education Relief (GEER) State set-aside funding; and

WHEREAS, on October 2, 2020, VDOE announced Prince William County Schools was awarded \$482,496.40 under CARES Act ESSER State set-aside funding and \$415,215.00 under CARES Act GEER State set-aside funding to support distance learning opportunities during the coronavirus pandemic; and

WHEREAS, the Prince William County School Board has approved a resolution requesting the Prince William Board of County Supervisors to approve the budget and appropriation of the School Board Operating Fund in the total amount of \$897,711.40; and

WHEREAS, the allocations of \$897,711.40 shall be expended in accordance with applicable federal and state laws governing the use of CARES Act, ESSER, and GEER funding; and

WHEREAS, the CARES Act ESSER and GEER funding allocations from the Commonwealth require appropriation by the Board of County Supervisors;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby budgets and appropriates \$897,711.40 to the School Board Operating Fund from Coronavirus Aid, Recovery, and Economic Security Act, Elementary and Secondary School Emergency Relief Fund, and Governor's Emergency Education Relief funding allocated by the Commonwealth of Virginia.

November 17, 2020

Regular Meeting

Res. No. 20-759

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Prince William County Schools

Associate Superintendent for Finance and Risk Management

Prince William County Finance Director

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-760

RE: BUDGET AND APPROPRIATE \$2,076,650 FROM EMERGENCY MEDICAL SERVICE BILLING FUND BALANCE FOR THE PURCHASE OF LIFEPAK DEVICES

ACTION: APPROVED

WHEREAS, the Fire and Rescue System (FRS) Emergency Medical Services (EMS) system addresses the needs of the citizens in Prince William County (PWC) through detection, response, reporting, on-scene care, care in transit, and transfer to definitive care, ensuring all patients receive world class treatment; and

WHEREAS, PWC began an EMS Billing Program in Fiscal Year (FY) 2012, and in FY2013 with revenue received via the program, purchased standardized system-wide LifePak cardiac monitors, defibrillators, and EMS Billing fund balance is the source for equipment replacement; and

WHEREAS, the Federal Drug Administration recommends a LifePak service life of eight years, and with 90% of PWC inventory meeting this service life and existing equipment no longer supported under warranty by the vendor, replacement was planned for inclusion in the FY2022 budget process; and

WHEREAS, the LifePak, vendor, Stryker, contacted PWC to offer a discount incentive, along with trade-in, on LifePak fifteen units, which would substantially reduce the planned replacement cost if purchased by December 31, 2020; and

WHEREAS, the total purchase cost to replace LifePaks is \$2,076,650 and the unaudited EMS Billing fund balance at the end of Fiscal Year 2021 is \$6,804,334, resulting in a remaining EMS Billing fund balance of \$4,727,684;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby budgets and appropriates \$2,076,650 from Emergency Medical Service Billing fund balance for the purchase of LifePak devices.

November 17, 2020

Regular Meeting

Res. No. 20-760

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Fire and Rescue System Chief

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-761

RE: RATIFY A GRANT APPLICATION FOR THE FISCAL YEAR 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS TO REPLACE EXISTING FORENSICS SERVICES EQUIPMENT AND ACCEPT, BUDGET, AND APPROPRIATE \$98,770 IN FEDERAL GRANT REVENUE

ACTION: APPROVED

WHEREAS, the United States Department of Justice, Office of Justice Programs Bureau of Justice Assistance, made available local grant funding through the Edward Byrne Memorial Justice Assistance Grant (JAG) program; and

WHEREAS, the Police Department needs to replace existing, aging equipment currently utilized by its Forensic Services Section as existing equipment is outdated, and at the end of its lifecycle, insufficient to meet current demands, or not intended for its current use; and

WHEREAS, using JAG funding, the Police Department proposes to purchase replacement equipment for its Forensics Services Section including a Noritsu digital photograph printer, digital SLR cameras, superglue chamber used for fingerprint capture, and an evidence drying bin; and

WHEREAS, the Police Department has been awarded grant funding in the amount of \$98,770; and

WHEREAS, no local cash match is required and no out-year costs are anticipated for this project; and

WHEREAS, the Finance Department will substantiate the need for this one-time budget increase by reviewing the Police Department's funding notifications to verify the funding amount being provided to the County; and

WHEREAS, the Police Department will act as the Project Administrator, and agrees to be the Fiscal Agent for expenditure of these funds;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby ratifies a grant application for the Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice, Office of Justice Programs to replace existing forensics services equipment and accepts, budgets, and appropriates \$98,770 in federal grant revenue;

November 17, 2020
Regular Meeting
Res. No. 20-761
Page Two

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the County Executive to sign the Grant Award and Special Conditions documents.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Chief of Police

Finance Director

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-762

RE: TRANSFER \$300,000 IN GENERAL USE PARKS AND RECREATION PROFFERS FROM THE CATHARPIN PARK PHASE II PROJECT TO THE JAMES S. LONG PARK AUXILIARY BUILDING PROJECT AND AUTHORIZE THE USE OF \$75,000 IN WATER AND SEWER AVAILABILITY CREDITS FROM THE PRINCE WILLIAM COUNTY SERVICE AUTHORITY IN ORDER TO COMPLETE THE AUXILIARY BUILDING AT JAMES S. LONG PARK – GAINESVILLE MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Board of County Supervisors approved construction of an auxiliary building at James S. Long Regional Park in the Gainesville Magisterial District as part of the Fiscal Year 2019 Capital Improvement Program; and

WHEREAS, the Auxiliary Building will provide public bathrooms, office, and group meeting space to support Virginia Soccer Association, Inc. (VSA), a community partner who provides recreation programming for County youth that the Department of Parks, Recreation, and Tourism (DPRT) would otherwise need to serve through direct programming; and

WHEREAS, the office and group meeting portion of the building will be licensed to VSA to support their operations and maintenance of the building will be shared by VSA and the County; and

WHEREAS, the addition of permanent restrooms will accommodate greater park usership and the other modern amenities will position the County to expand tournament play, which will directly serve more County youth; and

WHEREAS, the Procurement Division advertised the project on August 4, 2020, and on August 24, 2020, four bids were received, the lowest responsive bid being \$776,888; and

WHEREAS, the total estimated construction costs will be \$954,204 when accounting for construction phase services, testing, contingency, and tap fees; and

WHEREAS, the James S. Long Park Auxiliary Building project has an encumbered balance of \$579,204, leaving a budget shortfall of \$375,000; and

WHEREAS, in order to close the project budget shortfall, the DPRT is requesting the transfer of \$300,000 from the \$930,319 of General Use proffers allocated by the BOCS, via Resolution Number 20-615, to the Catharpin Park Phase II (Project #16C13004) on September 8, 2020; and

WHEREAS, the transfer of \$300,000 will not affect the County's ability to complete the original scope of the Catharpin Park, Phase II project and the use of the funds for the James S.

Long Park Auxiliary Building is consistent with the proffer conditions; and
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Regular Meeting
Res. No. 20-762
Page Two

WHEREAS, to further close the project budget shortfall, DPRT proposes using \$75,000 in Prince William County Service Authority (PWCSA) Sewer and Water Availability Credits to pay for the water and sewer tap fees for the Auxiliary Building; and

WHEREAS, Prince William County has \$11,232,280 in available Credits and under the Modification and Assumption Agreement with PWCSA dated January 10, 2013, the BOCS can utilize the credits for the purchase of sewer service for capital projects;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby transfers \$300,000 in General Use Parks and Recreation Proffers from the Catharpin Park Phase II Project, to the James S. Long Park Auxiliary Building Project and authorizes the use of \$75,000 in Water and Sewer Availability Credits from the Prince William County Service Authority in order to complete the Auxiliary Building at James S. Long Park.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Proffer Administrator

CIP Coordinator

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-763

RE: TRANSFER, BUDGET, AND APPROPRIATE \$320,000 OF GOLF COURSE RESERVE FUNDS FOR PLANNED BUNKER RENOVATIONS AT FOREST GREENS GOLF COURSE – POTOMAC MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors (BOCS) is the owner of Forest Greens Golf Course (FGGC) in the Potomac Magisterial District; and

WHEREAS, Prince William County contracts with Indigo Golf Partners (formerly Billy Casper Golf, LLC) to provide direct management, supervision, and operation of the County's three golf courses; and

WHEREAS, Prince William County is responsible for all capital maintenance projects on the golf courses; and

WHEREAS, the sand bunkers at FGGC course are failing and require renovation to ensure a safe and enjoyable experience for course visitors; and

WHEREAS, poor bunker conditions consistently rank as the number one complaint from customers at FGGC according to surveys; and

WHEREAS, new bunkers will greatly enhance the visitor experience, and allow Indigo Golf to reallocate maintenance resources to other needs; and

WHEREAS, in 2010, the County refinanced the Park Facilities Revenue Bonds, resulting in \$160,000 per year in savings to the County on the debt service; and

WHEREAS, beginning in the Fiscal Year (FY) 2011 Budget, the BOCS directed the establishment of a Golf Course Reserve Fund with annual contributions of \$80,000 from the revenue bond savings dedicated for future capital maintenance needs at all County golf courses; and

WHEREAS, on December 10, 2019, via Resolution Number 19-597, the BOCS approved the transfer, budget, and appropriation of \$240,000 from the Golf Course Reserve Fund to the Department of Parks, Recreation, and Tourism (DPRT) to renovate 31 of the 46 bunkers at FGGC; and

WHEREAS, due to the COVID-19 pandemic, a spending freeze was imposed prior to the bunker project account being established and the funding reverted back to the General Fund at the close of the Fiscal Year; and

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Regular Meeting
Res. No. 20-763
Page Two

WHEREAS, the current balance in the Golf Course Reserve Fund including the FY 2021 budgeted contribution to the reserves is \$320,000, and DPRT intends to apply the entire balance to replace up to 46 bunkers at FGGC; and

WHEREAS, if there are savings from the bunker renovations, staff will apply them towards renovating the existing driving range tee pads at FGGC, which are failing; and

WHEREAS, the BOCS must appropriate any funds for specific projects to be paid with the Golf Course Reserves;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby transfers, budgets, and appropriates \$320,000 from the Golf Course Reserve Fund for planned bunker renovations at Forest Greens Golf Course;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Director of Finance to create a Capital Project for the Golf Course Improvements.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Budget Director

Finance Director

ATTEST:



Clerk to the Board

MOTION: BAILEY

**November 17, 2020
Regular Meeting
Res. No. 20-764**

SECOND: BODDYE

RE: AUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS AND THE NORTHERN VIRGINIA SOCCER CLUB, INC. TO REPLACE ARTIFICIAL TURF FIELD #7 AT GEORGE HELLWIG MEMORIAL PARK AND BUDGET AND APPROPRIATE \$41,907 FROM THE ARTIFICIAL TURF SINKING FUND TOWARDS THE PROJECT – COLES MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors (BOCS) owns the parcel of land known as George Hellwig Memorial Park located at 14420 Bristow Road, Virginia, GPIN #7891-37-1504; and

WHEREAS, the Department of Parks, Recreation, and Tourism (DPRT) has a long-standing partnership with the Northern Virginia Soccer Club, Inc. (NVSC) to provide youth soccer programming for thousands of Prince William County residents that DPRT would otherwise need to serve through direct programming; and

WHEREAS, the former Prince William County Park Authority and NVSC cost-shared the installation of artificial turf for Field #7 at George Hellwig Memorial Park in 2008 according to terms outlined in a December 2007 Memorandum of Agreement, which expired in September 2018, and the field has exceeded its useful life; and

WHEREAS, on November 17, 2020, the BOCS will consider the approval of a Memorandum of Understanding (MOU) between NVSC and DPRT for the cost-sharing and construction of a new artificial turf field at George Hellwig Memorial Park to replace natural turf Fields #5 and #6; the project is expected to commence in late 2020; and

WHEREAS, NVSC desires to replace Field #7 at their own expense in conjunction with the new turf project, utilizing the same contractor as a cost savings measure; and

WHEREAS, DPRT is seeking to execute an MOU with NVSC for the replacement of artificial turf for Field #7, which includes a County reimbursement of \$41,907 from the Artificial Turf Sinking Fund; and

WHEREAS, execution of the MOU will result in tax-payer savings of approximately \$383,000, as well as a create a safer and higher level of service for field users; and

WHEREAS, the MOU will establish certain privileges and expectations to aid NVSC in recovering their investment towards the project while ensuring public access to the field; and

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Regular Meeting
Res. No. 20-764
Page Two

WHEREAS, it is in the community's financial interest to leverage public funds for private investment and the County has a successful record of partnering with sports leagues to offset general tax support for park capital projects;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby authorizes a Memorandum of Understanding between the Prince William Board of County Supervisors and the Northern Virginia Soccer Club, Inc. to replace artificial turf Field #7 at George Hellwig Memorial Park and budgets and appropriates \$41,907 from the Artificial Turf Sinking Fund towards the project;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors has the authority to contribute funds to certain non-profit organizations;

BE IT FURTHER RESOLVED that Finance Director is authorized to re-appropriate unspent/unencumbered funds in Fiscal Year 2022, if necessary;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Department Director to execute such documents necessary to affect the intent of this resolution as reviewed and approved as to form by the County Attorney's Office.

ATTACHMENT: Memorandum of Understanding – Northern Virginia Soccer Club, Inc. for Replacement of Turf Field #7 at George Hellwig Memorial Park

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS AND
THE NORTHERN VIRGINIA SOCCER CLUB, INC. FOR REPLACEMENT OF
TURF FIELD #7 AT GEORGE HELLWIG MEMORIAL PARK**

This **Memorandum of Understanding** ("MOU") is entered into on this _____ day of _____ 2020, by and between the Board of County Supervisors of Prince William County, Virginia (the "Board") and the Northern Virginia Soccer Club, Inc. ("NVSC") for the purpose of partnering on field improvements at George Hellwig Memorial Park, a County-owned property.

RECITALS

WHEREAS, Prince William County (the "County") is a political subdivision of the Commonwealth of Virginia that owns 132.73 acres of land located known as George Hellwig Memorial Park located at 14418 Bristow Road in the Coles Magisterial District (the "Subject Property"); and

WHEREAS, the Department of Parks Recreation, and Tourism ("DPRT") has a long-standing partnership with the Northern Virginia Soccer Club, Inc. ("NVSC") to provide youth soccer programming for Prince William County residents at George Hellwig Memorial Park, which serves as NVSC's headquarters; and

WHEREAS, NVSC is a community partner who has provided youth soccer programming for residents of the County for nearly fifty years, which the County would otherwise have to provide; and

WHEREAS, the former Prince William County Park Authority and NVSC cost-shared the installation of an artificial turf for Field #7 at George Hellwig Memorial Park in 2008 according to terms outlined in a December, 2007 Memorandum of Agreement, which expired in September 2018; and

WHEREAS, the artificial turf carpet on Field #7 has exceeded its useful life and NVSC desires to replace it in conjunction with the development of a new artificial turf field (BOCS Res 19-335); and

WHEREAS, the Board recognizes the significant community benefit that the citizens of Prince William County (County) will derive from public-private partnerships and desire to provide a match of County funds for the Project of \$41,907;

NOW, THEREFORE, in consideration of mutual covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree that their respective obligations under this agreement shall be as follows:

1. NVSC shall be responsible for obtaining, and shall use its best efforts to obtain, all required land disturbance and other permits, waivers, easements, and approvals necessary for the Project and will pay for all engineering and certified land survey data, soils investigation, testing and reports, land planning services, direct costs and permit fees, and any and all other costs associated with obtaining the required permits, waivers, easements, and approvals for the Project. If NVSC is not able to obtain all required permits, waivers, easements, and approvals for the Project within twelve (12) months from the date of execution of this Agreement, the Agreement shall automatically terminate without cost to either party.
2. NVSC shall provide product specifications, samples, installation procedures, warranties, construction documents, and other information as reasonably requested by DPRT concerning the synthetic turf proposed, along with information concerning any related improvements, to DPRT for review and approval prior to performing any work on the site of the Project. DPRT shall also have the right to review and approve any changes to such product specification, samples, installation procedures, warranties, construction documents, and related improvements during construction. DPRT's review of these materials and this information and approval thereof will not be unreasonably withheld or delayed.
3. NVSC shall be responsible for selecting a contractor to perform the work included in the Project and for any subsequent maintenance, repair, or replacement of the Project improvements. All contractors must, at a minimum:
 - a. Demonstrate successful completion of not less than three similar projects within the previous two years;
 - b. Hold a Class A Virginia contractor's license; and
 - c. Provide proof of insurance that complies with DPRT risk management guidelines.
4. NVSC shall be responsible for all Project cost unless otherwise specified in this Agreement. Within sixty (60) days after completion of the Project, NVSC shall notify DPRT in writing of the actual costs. Actual costs shall be demonstrated through a contractor's invoice(s) for all work completed.

5. The synthetic turf installed by NVSC under this Agreement, as set forth in Exhibit 1, shall remain in place and, once installed, shall become the property of the County.
6. This agreement shall have a term of ten (10) years beginning on the date on which the Project is completed and accepted by the Board and NVSC and ending at midnight one day before the ten (10) year anniversary of that date unless sooner terminated in accordance with this Agreement. The date on which this Agreement terminates, whether at the end of the initial term or any renewal term shall be referred to as the "Expiration Date."
7. The Board hereby assigns priority use and scheduling authority for the new field to NVSC with the following conditions:
 - a. A minimum of 20% of available prime field time shall be reserved for third-party community users seasonally. The remaining 80% of use will be counted against NVSC's seasonal allocation of hours by DPRT.
 - b. Prime field time is defined as 5:00pm-10:30pm weekdays; 9:00am-10:30 pm weekends. A third-party user is defined as any non-NVSC entity including Prince William County-registered leagues and seasonal groups, but excluding commercial/for-profit users. Prince William County-based third-party users shall take priority over non-Prince William County users.
 - c. NVSC shall make all reasonable efforts to publicly advertise field space availability to third-party users and shall not unreasonably withhold access. DPRT shall refer third-party users to NVSC.
 - d. The percentage of reserved third-party access can fluctuate monthly within each season as defined in Exhibit 3, but shall not fall below 20% for the entire season in aggregate, which shall be calculated as the average of all months in each season. Reserved third-party access shall not fall below 10% for a single month.
 - e. If field time is set aside by NVSC for third-party use, but not ultimately rented by a third-party user due to lack of interest, NVSC may count the forfeited hours against their reservation quota. In such cases, NVSC shall leave the schedule blank in School Dude (or current scheduling software).
 - f. NVSC reserves the right to require a five (5) working day advanced notice (Monday through Friday) for third-party rental requests. If a field is not

rented, NVSC shall have use of the fields for open programming which shall not count against their seasonal allocations.

- g. Third-party uses shall be permitted by NVSC on behalf of DPRT in accordance with the permitting policies contained within the Athletic Field and Facility Use Manual (AFFUM) including, but not limited to:
 - i. All third-party permittees shall furnish NVSC a certificate of general liability insurance naming Prince William County as Certificate Holder and Additional Insured in the amount of One Million (\$1,000,000).
 - ii. Hold Harmless Agreement.
 - iii. All documents shall be maintained by NVSC and available to DPRT upon request.
- h. NVSC shall not be penalized for field space reserved or permitted for third-party use, which is cancelled by permittee within seven (7) days of the activity date.
- i. All non-prime time field use shall be permitted to third-party users by NVSC on behalf of DPRT in accordance with the permitting policies contained within the AFFUM. Non-prime field time is defined as 9:00am-5:00pm weekdays.
- j. NVSC shall schedule all third-party usage in School Dude or other scheduling software determined by DPRT. The necessary permittee information, to include current contact information, shall be clearly listed in each electronic entry as defined by DPRT. The Sports Services Manager will approve electronic entries to trigger permit issuance. DPRT shall regularly check all field permit entries in School Dude to determine compliance with scheduling requirements contained herein.
- k. NVSC shall issue an electronic and/or paper permit to all third-party users, which shall serve as a receipt of payment, showing the total fee amount. A copy of the permit should be made available to DPRT upon request.
- l. Tournament use, in support of NVSC league operations, shall count against NVSC's prime field usage allocation. Tournament use by third-party users shall count towards the 20% seasonal requirements for prime field use.

8. In acknowledgment of the need to recoup their investment in the Project, NVSC shall retain 100% of all third-party permit fees for the term of this Agreement in order to pay off the totality of NVSC's share of project costs with the following conditions:
 - a. Project costs shall be defined as the total contracted cost of construction as stated in the contractor invoice(s), minus any capital contribution by the County. Project costs shall also include loan interest.
 - b. If claiming interest, NVSC shall provide evidence of interest payments via monthly bank statements.
 - c. NVSC shall provide DPRT copies of all third-party permits issued on a quarterly basis of the County's Fiscal Year. DPRT will reconcile said permits with schedules in School Dude (or current scheduling software).
9. Upon 100% recovery of Project investment, NVSC shall continue to issue all third-party permits and collect fees. All fees collected after NVSC's Project investment is recovered shall be placed in a restricted Virginia Qualified Public Depositor (VQPD) NVSC account for exclusive use at George Hellwig Memorial Park in accordance with the following provisions:
 - a. The funds shall only be used for repairs to the field and other fixed capital improvements at George Hellwig Memorial Park. Use of funds for NVSC equipment and operating expenses is prohibited.
 - b. DPRT shall approve all proposed use of funds by NVSC.
 - c. If NVSC dissolves, all funds shall transfer to Prince William County.
 - d. DPRT has the right to callback all funds if NVSC breaches this Agreement or DPRT policies, including accrued interest.
10. The terms of this Agreement shall not relieve NVSC from paying all permit fees on a player-by-player basis in accordance with the AFFUM.
11. In acknowledgment of the need to recoup their investment for the Project, NVSC may lease field for for-profit commercial uses such as clinics and camps and retain 100% of gross revenues for the term of this Agreement in order to pay off the totality of NVSC's share of project costs. Commercial rentals shall not count towards the third-party community use requirements.
12. NVSC may engage in souvenir, clothing, and concession sales at George Hellwig Memorial Park directly or through third-party vendors during NVSC activities and

retain 100% of gross revenues upon the following conditions:

- a. If serving food, appropriate concession permits shall be obtained by NVSC.
 - b. Food truck vendors shall only be permitted with prior consent from DPRT in accordance with Prince William County regulations.
13. Tournament applications shall continue to be required in accordance to the AFFUM
 14. NVSC shall inform DPRT of any third-party field usage requests for non-typical activities by NVSC and/or a third-party user. Such uses shall be approved by the DPRT in accordance with the standards identified in the AFFUM. Additional fees may be applicable dependent upon the scope/nature of the event(s) requested as identified by the DPRT schedule of fees.
 15. DPRT reserves the right to amend/cancel field use activities as recommended by DPRT staff.
 16. Failure to comply with the conditions contained herein and AFFUM rules and regulations will result in the automatic revoking of NVSC's right to third-party permit fees under this Agreement and a return to DPRT-managed field scheduling.
 17. NVSC shall obtain and provide to DPRT written maintenance specifications, use restrictions, and warranty conditions from the selected turf supplier and/ or the installer (hereinafter referred to as "Terms of Usage") prior to any use of the Fields. NVSC shall abide by such Terms of Usage. In the event of a violation of these Terms of Usage or any other action or inaction by NVSC, which cause damage to the Field, NVSC shall bear the cost of any repairs of the Fields.
 18. DPRT shall provide monthly grooming of Fields in accordance with standard field maintenance levels:
 - a. Brooming/light raking/adding infill to the field "hot spots" (i.e. goalie area, penalty kick, etc.) – 1x per week
 - b. Sweeping/tine grooming – 1x per month
 - c. Check field edges for germination of weeds , and spray weeds at field edges if necessary – 1 x per month
 19. Spectator support facilities are limited at George Hellwig Memorial Park and as such, NVSC and DPRT shall develop reasonable and timely management practices so that players, spectators, and other participants utilize the park in

accordance with DPRT policies as well as conduct operations as follows:

- a. Use only designated parking areas and restroom facilities provided, and enter and exit the park using only designated pedestrian and vehicle access facilities thereby avoiding parking on any residential street or cutting through any private property;
 - b. Monitor and proactively manage all activities restricting use of the field and encouraging spectators and participants to utilize vans and carpools for game dates, other than exceptional circumstances.
20. Temporary corporate field sponsorships for the field shall be permitted upon approval from DPRT.
21. The Project shall be completed within twelve (12) months following receipts of all required permits, waivers, easements, and approvals for the Project, provided that such deadline shall be postponed for the duration of any event of force majeure or any other delay beyond the control of NVSC. If NVSC is unable to complete the Project within this period of time, the Board shall have the right to terminate the Agreement.
22. NVSC is solely responsible for cost of repairs, as reasonably determined by DPRT, including replacement of the synthetic turf and its related curb, base material, and underdrain system during the Term of this Agreement, if damages occur during use by NVSC or third-party use.
23. If this Agreement is terminated by the Board during the ten (10) year term for reasons other than the terms set forth in Section 24, the Board shall reimburse NVSC for the actual cost of the Project, as set forth in the notice provided by NVSC to the Board in accordance with Section 4 hereof, and any other costs for the Field approved by the Board subject to annual depreciation of ten percent (10%) of such cost (pro-rated for portions of a year on a monthly basis). Failure by DPRT to assign the Field to NVSC for the periods specified in Section 7 hereof without cause shall be deemed to be a termination of this Agreement by the Board prior to the Expiration Date.
24. If NVSC fails to perform, or demonstrates reckless disregard for any term or terms of this Agreement, the Board may, at its sole discretion, after thirty (30) days written notice to NVSC and reasonable opportunity to cure, terminate this agreement. If the Board fails to perform, or demonstrates reckless disregard for any term or terms of this Agreement, NVSC may, after thirty (30) days written notice to the Board and reasonable opportunity to cure, terminate this agreement.

25. It is expressly agreed and understood that this Agreement is to be construed under the laws of the Commonwealth of Virginia and may only be enforced in the courts of Prince William County, Virginia.
26. The Board acknowledges that NVSC may need to obtain external financing for the implementation of the Project and agrees that NVSC's obligations are expressly conditioned on NVSC obtaining such financing on terms reasonably acceptable to NVSC. In the event that NVSC is unable within twelve (12) months from the date hereof to secure their share of Project funding, NVSC and the Board shall each have the right to terminate this Agreement and all fees collected in relation to Section 9 shall be returned to the County.
27. NVSC shall, at its own expense and cost, procure and maintain public liability Insurance policy or policies to be in effect during the term of agreement. Insurance coverage shall be \$1,000,000 per Occurrence with a \$3,000,000 excess policy. Also, the County shall be named as an additional insured on the policy. Also, the Lessee shall maintain automotive liability insurance with an aggregate liability of \$1,000,000. A certificate of insurance for each policy shall be provided to the Director Parks and Recreation, together with satisfactory payment of premium. The policy shall contain a clause requiring the Insurer to provide written notice to DPRT of nonpayment of policy premium and ten (10) days written notice of cancellation before cancellation shall be effective. In the event that the Insurance policy is cancelled, NVSC shall obtain substitute insurance, and if NVSC fails to obtain such insurance within seven (7) days, the DPRT may obtain said insurance and charge the cost of it to NVSC. Failure to maintain adequate Insurance shall constitute an event of default after grace period provided in this Section.
28. Copies of all insurance policies required by this Agreement shall be delivered by NVSC to DPRT.
29. This Agreement contains the entire agreement of the parties with respect to the subject matter hereof. The Agreement is also subject to other County policies unless expressly in conflict with the terms of this Agreement.
30. This Agreement shall not be modified, amended, or changed in any respect except in writing duly signed by the parties hereto, and each party hereby waives any right to amend this Agreement in any other way.
31. This Agreement may not be assigned by any of the parties hereto without the express written consent of the other party.

32. All of the terms and provisions of this Agreement shall be binding upon and shall insure the benefit of the parties hereto and their successors. In addition, the parties agree that terms and provisions of this Agreement are reasonable.
33. If any provision of this Agreement shall be determined to be invalid or unenforceable, such determination will not affect the validity of the other provisions of this Agreement.
34. None of the provisions of this Agreement is intended to grant any right or benefit to any person or entity that is not party to this Agreement unless specified in the Agreement.
35. All notices and deliveries required under this Agreement shall not be effective for any purpose unless the same shall be given or served as follows:

If to NVSC, to:

Northern Virginia Soccer Club, Inc.
Attention: President
14424 Bristow Road
Manassas, VA 20112

If to the Board, to:

Prince William County
Attention: Director
Department of Parks, Recreation, and Tourism
14420 Bristow Road
Manassas, VA 20112

Every such notice, demand, request, other communication or delivery of documents or funds hereunder shall be deemed to have been given or served for all purpose hereunder on the date on which it is received or refused by the party to whom it was sent, whether by courier, certified mail, or U.S. First Class Mail, postage prepaid.

Northern Virginia Soccer Club, Inc.

BY:

President

Prince William County Department of Parks, Recreation, and Tourism

BY:

Seth Hendler-Voss
Parks, Recreation, and Tourism Director
14420 Bristow Road
Manassas, VA 20112

EXHIBIT 1 PROJECT SCOPE OF WORK

1. GENERAL

All work under this section is subject to the General and Supplemental Conditions and Information for Bidders forming a part of these specifications, as well as to applicable provisions of the current Prince William County Public Facilities Manual, Virginia Department of Transportation Road and Bridge Specifications (VDOT) and the Department of Conservation and Recreation. The Contractor shall be responsible for and be governed by all requirements there under.

2. SCOPE

Replace a synthetic turf soccer field with the dimensions of approximately 360 feet by 225 feet on Field #7 at George Hellwig Park as shown on Exhibit 2.

3. COUNTY CONTRIBUTIONS AND REVENUE

Upon completion of the project, DPRT will reimburse NVSC forty-one thousand, nine hundred and seven dollars (\$41,907). Reimbursement will be paid directly to NVSC upon successful completion and documentation of not less than twenty-five (25%) of Project. In such case, NVSC shall pay all remaining funds to complete the project in its entirety, including interest.

**EXHIBIT 2
PROJECT LOCATION**



EXHIBIT 3
MINIMUM FIELD RESERVATION PERCENTAGES FOR 3RD PARTY USE

Season	Time-Periods	Available Prime Time	Target % for Third-party Use	Hours Avg.
Fall	Sept 1-Nov 30	700	20%	140
Winter	Dec 1-Feb 28	700	20%	140
Spring	March 1-May 31	700	20%	140
Summer	June 1-August 31	700	20%	140

Prime time field use shall not fall below 20% for the entire season in aggregate, which shall be calculated as the average of all months in each season.

Reserved third-party access shall not fall below 10% for a single month.
(See Item #7 – D)

MOTION: BAILEY

November 17, 2020

SECOND: BODDYE

Regular Meeting

Res. No. 20-765

RE: TRANSFER, BUDGET, AND APPROPRIATE \$148,966.59 FROM WATERSHED DEFERRED REVENUE ACCOUNTS TO COUNTY WATERSHEDS CAPITAL IMPROVEMENT PROGRAM AND MAJOR DRAINAGE MAINTENANCE OPERATING BUDGETS FOR COSTS INCURRED ON STORMWATER MANAGEMENT AND DRAINAGE IMPROVEMENT PROJECTS - VARIOUS MAGISTERIAL DISTRICTS

ACTION: APPROVED

WHEREAS, developers have the option to provide monetary contributions in lieu of providing onsite water management controls; and

WHEREAS, the monetary contributions are placed in the Watershed Deferred Revenue accounts; and

WHEREAS, Watershed Deferred Revenue accounts funds may be used for stormwater management and drainage improvement projects within the same watershed where the contributing development is located; and

WHEREAS, the Department of Public Works, Environmental Services Division, identified and completed several stormwater management and drainage improvement projects within various watersheds; and

WHEREAS, funds in the amount of \$148,966.59 are available in the Watershed Deferred Revenue accounts to transfer, budget, and appropriate to the County's Watershed Capital Improvement Program and Major Drainage Maintenance operating budgets for costs incurred on these projects;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby transfers, budgets, and appropriates \$148,966.59 from Watershed Deferred Revenue accounts to County Watersheds Capital Improvement Program and Major Drainage Maintenance operating budgets for costs incurred on stormwater management and drainage improvement projects.

November 17, 2020

Regular Meeting

Res. No. 20-765

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

Information:

Public Works Director

Environmental Services Division Chief

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: LAWSON
SECOND: BODDYE
RE: AUTHORIZE CLOSED MEETING
ACTION: APPROVED

November 17, 2020
Regular Meeting
Res. No. 20-766

WHEREAS, the Board of County Supervisors desires to consult with legal counsel and staff and discuss in Closed Meeting the following matters:

- Discussion or consideration of the two acquisitions of real property for public parks purposes, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, (§2.2-3711(A) (3)); and
- Consultation with legal counsel and briefings by staff members regarding an economic development matter concerning a prospective business or industry, where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community; along with the related discussions or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the County would be adversely affected, and where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, (§2.2-3711(A) (5) and (6)); and
- Personnel discussion relating to the performance evaluations of the County Attorney and the County Executive, (§2.2-3711(A) (1)); and

WHEREAS, pursuant to §2.2-3711(A) (1), (3), (5), and (6) VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby authorizes discussion of the aforesated matters in Closed Meeting.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

County Attorney

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: LAWSON

**November 17, 2020
Regular Meeting
Res. No. 20-769**

SECOND: BAILEY

RE: AMEND THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS' 2020 MEETING CALENDAR TO ADD A SPECIAL MEETING ON TUESDAY, NOVEMBER 24, 2020, TO BEGIN AT 9:00 A.M., AT THE OLD HICKORY GOLF CLUB, 11921 CHANCEFORD DRIVE, WOODBRIDGE, VIRGINIA, 22192, FOR THE PURPOSE OF INTERVIEWS AND PERSONNEL DISCUSSION REGARDING THE CHIEF OF POLICE

ACTION: APPROVED

WHEREAS, both the Code of Virginia and the Rules of Procedure of the Prince William Board of County Supervisors require that the Board, at its annual meeting, shall adopt a schedule of the times, dates, and places of its regular meetings for the ensuing calendar year; and

WHEREAS, the 2020 Prince William Board of County Supervisors annual meeting was held on January 7, 2020; and

WHEREAS, the adopted meeting calendar may be amended by the majority voted of the Board of County Supervisors, Rules of Procedure Section A (b); and

WHEREAS, the COVID-19 pandemic requires social distancing be practiced by those attending Board meetings and has impacted the space required to meet safely;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors, in accordance with Section A: Meetings 1. (a) of their Rules of Procedure, hereby amends the Prince William Board of County Supervisors' 2020 Meeting Calendar to add a special meeting on Tuesday, November 24, 2020, to begin at 9:00 a.m., at the Old Hickory Golf Club, 11921 Chanceford Drive, Virginia, 22192, for the purpose of interviews and personnel discussion regarding the Chief of Police.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: LAWSON

**November 17, 2020
Regular Meeting
Res. No. 20-770**

SECOND: BAILEY

RE: AMEND THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS' 2020 MEETING CALENDAR TO CHANGE THE START TIME OF THE EVENING SESSION OF THE DECEMBER 1, 2020, BOARD MEETING WITH THE STATE DELEGATION IN BOARD CHAMBERS OF THE MCCOART ADMINISTRATION BUILDING, 1 COUNTY COMPLEX COURT, PRINCE WILLIAM, VIRGINIA, 22192, FROM 6:30 P.M. TO 7:00 P.M.

ACTION: APPROVED

WHEREAS, both the Code of Virginia and the Rules of Procedure of the Prince William Board of County Supervisors require that the Board, at its annual meeting, shall adopt a schedule of the times, dates, and places of its regular meetings for the ensuing calendar year; and

WHEREAS, the 2020 Prince William Board of County Supervisors annual meeting was held on January 7, 2020; and

WHEREAS, the adopted meeting calendar may be amended by the majority voted of the Board of County Supervisors, Rules of Procedure Section A (b); and

WHEREAS, the COVID-19 pandemic requires social distancing be practiced by those attending Board meetings and has impacted the space required to meet safely;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors, in accordance with Section A: Meetings 1. (a) of their Rules of Procedure, hereby amends the Prince William Board of County Supervisors' 2020 Meeting Calendar to change the start time of the evening session of the December 1, 2020, Board meeting with the State Delegation in Board Chambers of the McCoart Administration Building, 1 County Complex Court, Prince William, Virginia, 22192, from 6:30 p.m. to 7:00 p.m.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: LAWSON

**November 17, 2020
Regular Meeting
Res. No. 20-771**

SECOND: BAILEY

RE: AMEND THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS' 2020 MEETING CALENDAR TO CHANGE THE LOCATION OF THE DECEMBER 8, 2020, MEETING (WORK SESSION) FROM THE DEVELOPMENT SERVICES BUILDING TO SIMMONS HALL, LOCATED INSIDE THE BUCKHALL VOLUNTEER FIRE STATION AT 7190 YATES FORD ROAD, MANASSAS, AND TO CHANGE THE START TIME AND LOCATION OF THE EVENING SESSION OF THE BOARD MEETING WITH THE SCHOOL BOARD, FROM 6:00 P.M. TO 7:00 P.M., TO BE HELD AT THE EDWARD L. KELLY LEADERSHIP CENTER IN CONFERENCE ROOMS 1100 AND 1101 A AND B, 14715 BRISTOW ROAD, MANASSAS

ACTION: APPROVED

WHEREAS, both the Code of Virginia and the Rules of Procedure of the Prince William Board of County Supervisors require that the Board, at its annual meeting, shall adopt a schedule of the times, dates, and places of its regular meetings for the ensuing calendar year; and

WHEREAS, the 2020 Prince William Board of County Supervisors annual meeting was held on January 7, 2020; and

WHEREAS, the adopted meeting calendar may be amended by the majority voted of the Board of County Supervisors, Rules of Procedure Section A (b); and

WHEREAS, the COVID-19 pandemic requires social distancing be practiced by those attending Board meetings and has impacted the space required to meet safely;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors, in accordance with Section A: Meetings 1. (a) of their Rules of Procedure, hereby amends the Prince William Board of County Supervisors' 2020 Meeting Calendar to change the location of the December 8, 2020, meeting (work session) from the Development Services Building to Simmons Hall, located inside the Buckhall Volunteer Fire Station at 7190 Yates Ford Road, Manassas, and to change the start time from 6:00 P.M to 7:00 P.M, and location of the evening session of the Board Meeting with the School Board, to be held at the Edward L. Kelly Leadership Center in Conference Rooms 1100 and 1101 A and B, 14715 Bristow Road, Manassas.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BODDYE

November 17, 2020

SECOND: BAILEY

Regular Meeting

Res. No. 20-773

RE: ENDORSE – REGIONAL CLIMATE MITIGATION AND RESILIENCY GOALS

ACTION: APPROVED

WHEREAS, in 2019, the Intergovernmental Panel on Climate Change updated its guidance to recognize that the world is already experiencing the impacts of global warming and that to avoid the most severe climate impacts, greenhouse gas emissions must be reduced by at least 45 percent from 2010 levels by 2030 and to carbon neutrality by 2050; and

WHEREAS, metropolitan Washington, to include Prince William County, is already experiencing the impacts of a changing climate, including increases in temperature and sea-level rise and increased intensity and frequency of storms; and

WHEREAS, the Metropolitan Washington Council of Governments' (COG) Region Forward Vision includes a sustainability goal that calls for a significant decrease in greenhouse gas emissions, with substantial reductions from the built environment and transportation sector; and

WHEREAS, the COG Board of Directors, in Resolution R60-08, adopted the National Capital Region Climate Change Report and its recommendations in 2008, including goals to reduce greenhouse gas emissions by 10 percent below business as usual by 2012, 20 percent below the region's 2005 baseline by 2020, and 80 percent below the 2005 baseline by 2050; and

WHEREAS, COG recognizes that educating the public about the risks from climate change and the value of emission reduction and resiliency efforts is a critical action in addition to direct actions to reduce greenhouse gas emissions and increase resiliency; and

WHEREAS, on October 15, 2020, the COG Board of Directors, in Resolution R45-2020, approved a new greenhouse gas emissions reduction goal for the region of a 50 percent reduction in GHG emissions below baseline 2005 emission levels, and making significant progress to be a Climate Resilient Region by 2030;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby endorses the Metropolitan Washington Council of Governments' interim climate mitigation goal of 50 percent greenhouse gas emission reductions below 2005 levels by 2030;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby endorses the Metropolitan Washington Council of Governments' climate resilience goals of becoming a Climate Ready Region and making significant progress to be a Climate Resilient Region by 2030;

November 17, 2020

Regular Meeting

Res. No. 20-773

Page Two

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby directs staff to incorporate into the Comprehensive Plan goals of 100% of Prince William County's electricity to be from renewable sources by 2035, for Prince William County Government operations to achieve 100% renewable electricity by 2030, and for Prince William County Government to be 100% carbon neutral by 2050;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby directs staff to begin to work on recommendations for the creation of a public advisory body charged with advising on potential enhancements to the Community Energy Master Plan (CEMP) to achieve the goals of the above-stated Comprehensive Plan changes;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby reinforces the need to incorporate equity principles and environmental justice into the Community Energy Master Plan (CEMP) as well as the entire Comprehensive Plan.

Votes:

Ayes: Angry, Bailey, Boddye, Franklin, Wheeler

Nays: Candland, Lawson, Vega

Absent from Vote:

Absent from Meeting:

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION:

November 17, 2020

SECOND:

Regular Meeting

Res. No. 20-767

RE: CERTIFY CLOSED MEETING

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors has this day adjourned into Closed Meeting in accordance with a formal vote of the Board, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby certifies that to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applies, and ii) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed or considered by the Board. No member dissents from the aforesaid certification.

Adjourned into Closed Meeting at:

6:41 P.M.

Reported out from Closed Meeting at:

7:54 P.M.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: LAWSON

**November 17, 2020
Regular Meeting
Res. No. 20-768**

SECOND: BAILEY

RE: EXTEND THE TIME FOR THE PAYMENT OF FISCAL YEAR 2021 SECOND-HALF REAL ESTATE TAXES FOR SIXTY DAYS

ACTION: APPROVED

WHEREAS, Virginia Governor Ralph Northam declared a State of Emergency on March 12, 2020, in response to the spread of the COVID-19 virus. County Executive, Christopher E. Martino, acting in his capacity as Director of Emergency Management, declared a state of local emergency in Prince William County on March 16, 2020, and on March 31, 2020, the Prince William County Board of County Supervisors (Board) confirmed the Declaration of Local Emergency and amended the Declaration to include a finding that the anticipated effects of COVID-19 constitute a disaster for the entirety of Prince William County; and

WHEREAS, in response to the federal and state guidelines, Governor Northam entered several Executive Orders regarding the closing and phased re-opening of many businesses; the COVID-19 closure of non-essential businesses and social distancing measures have created severe economic disruption in Prince William County; and

WHEREAS, on July 14, 2020, via Resolution Number 20-530, the Board extended the Fiscal Year (FY) 2021 first-half real estate taxes ninety (90) days to provide relief to taxpayers from the severe economic disruption caused by the COVID-19 pandemic; and

WHEREAS, the COVID-19 pandemic, and attendant severe economic disruption, have continued, resulting, among other things, in Governor Northam's Executive Order issued on November 13, 2020, concerning the Phase Three Tightening of Certain Temporary Restrictions Due to Novel Coronavirus (COVID-19); and

WHEREAS, the Board of County Supervisors finds that good cause exists for a reasonable extension of time of sixty (60) days for the payment of FY 2021 second-half real estate taxes, pursuant to Section 58.1-3916, Code of Virginia, as amended, and that the extension of time for the payment secures and promotes the health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby extends the time for the payment of Fiscal Year 2021 second-half real estate taxes sixty (60) days, pursuant to Section 58.1-3916, Code of Virginia, as amended, and authorizes the County Executive and Director of Finance to take such action as necessary to implement said extension, and to sign any necessary documents that have been approved as to form by the County Attorney's Office.

November 17, 2020

Regular Meeting

Res. No. 20-768

Page Two

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent during Vote: None

Absent during Meeting: None

For Information:

County Executive

Finance Director

County Attorney

ATTEST:



Clerk to the Board

MOTION: CANDLAND

November 17, 2020

SECOND: VEGA

Regular Meeting

Ord. No. 20-45

RE: SPECIAL USE PERMIT #SUP2020-00025, UNITED BANK DRIVE-THROUGH ATM - BRENTSVILLE MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, this is a request to allow a drive-through ATM in connection with a by-right financial institution; and

WHEREAS, the subject ±0.31-acre property is located at 8319 Sudley Road, which is located in the Manaport Plaza Shopping Center, ±440 feet northwest of the intersection of Sudley Road and Irongate Way. The site is identified on County maps as GPIN 7696-77-3723; and

WHEREAS, the site is zoned B-1, General Business, without proffers; and

WHEREAS, the site is designated GC, General Commercial, in the Comprehensive Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on October 7, 2020, recommended approval, as stated in Resolution Number 20-061, on the Expedited Agenda; and

WHEREAS, a Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Special use Permit #SUP2020-00025, United Bank Drive-Through ATM, subject to the conditions dated October 12, 2020;

BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

November 17, 2020
Regular Meeting
Ord. No. 20-45
Page Two

ATTACHMENT: Conditions, dated October 12, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

Abstain: Lawson

For Information:

Planning Director

Pete Dolan/Brian Prater
Walsh, Colucci, Lubeley & Walsh P.C.
4310 Prince William Parkway Suite 300
Woodbridge, Virginia 22192

ATTEST: _____

Andrea P. Madden

Clerk to the Board

Proposed Conditions
Owner: FMI Manaport, LLC
Applicant: United Bank
Special Use Permit: #SUP2020-00025, United Bank Drive-Through ATM
Prince William County GPINs: 7696-77-3723 (part)
Acreage: ±0.30 acres (the "Property")
Zoning: B-1, General Business
Magisterial District: Brentsville
Date: October 12, 2020

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit ("SUP") or the Special Use Permit Plan are in conflict with the approved proffers, Zoning Ordinance and/or the Design Construction Standards Manual (the "DCSM") at the time of final site plan review or approval, the more restrictive standards shall apply.

The Applicant shall file a site plan within two (2) years of approval of this SUP by the Board of County Supervisors and shall have up to five (5) years from the date of the final site plan approval to commence the proposed use. Completion of all site plan improvements, as shown on the approved final site plan, shall constitute commencement of the use.

1. Site Development: The Property shall be developed in conformance with the special use permit plan entitled "Special Use Permit for United Bank Drive-Through ATM" prepared by Bohler Engineering, dated September 3, 2020 (the "SUP Plan").
2. Use Parameters: The use approved with this SUP shall be limited to a drive-through ATM facility in connection with a by-right financial institution. Approval of this SUP does not prohibit the use of the Property for other uses permitted in the B-1 zoning district.
3. Community Design
 - a. Landscaping: Upon owner approval, the Applicant shall install a native drought-resistant landscaping for a minimum length of 100-linear-feet, along the site's frontage on Sudley Road, as shown on the SUP Plan. The landscaping shall be within substantial conformance with the SUP Plan. Compliance shall be demonstrated on the final site plan for SUP use.
 - b. Signage: Notwithstanding to what is shown on the SUP Plan and Proposed Signage, the signage shall be in general conformance with the sign elevations shown on the sign elevations prepared by the Adrenaline Agency on August 28, 2019 and in accordance with Section 32-250.21 of the Zoning Ordinance. In addition, the following shall apply to signage for the SUP use:
 - i. Sign 1.6a shall not be permitted.
 - ii. No minor signage for the SUP use shall be permitted along the frontage of Sudley Road.

4. Maintenance of the Property:

- a. Graffiti Removal: The Applicant shall remove litter, trash, and debris from the site on a daily basis.

5. Transportation

- a. Vehicular access to the Property shall be provided as shown on the SUP Plan.
- b. The Applicant shall ensure that any vehicles associated with the use do not obstruct the travelways, drive aisles, fire lanes, adjoining road network, or encroach upon landscaped areas.

MOTION: VEGA

November 17, 2020

SECOND: ANGRY

Regular Meeting

Ord. No. 20-46

**RE: SPECIAL USE PERMIT #SUP2021-00003, RONK GUNSMITHING – COLES
MAGISTERIAL DISTRICT**

ACTION: APPROVED

WHEREAS, this is a request to allow a rural home business for firearm service/repair with in-person customers by appointment only; and

WHEREAS, the subject ±0.91-acre property is located at 8513 Oakview Drive, which is located in the Oakview Subdivision. The site is identified on County maps as GPIN 7895-12-0551; and

WHEREAS, the site is zoned A-1, Agricultural, without proffers; and

WHEREAS, the site is designated Suburban Residential Low (SRL), in the Comprehensive Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on October 21, 2020, recommended approval, as stated in Resolution Number 20-068, on the Regular Agenda; and

WHEREAS, a Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practices are served by the approval of the request;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Special Use Permit, #SUP2021-00003, Ronk Gunsmithing, subject to the conditions dated September 25, 2020;

BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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ATTACHMENT: Conditions, dated September 25, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

Robert Ronk
8513 Oakview Drive
Manassas, VA 20110

ATTEST: _____

Andrea P. Madden

Clerk to the Board

Conditions
Applicant/Lessee: Robert Ronk
Zoning: A-1, Agricultural
Acreage: ±0.91 acres
GPIN: 7895-12-0551 ("Property")
District: Coles
SUP2021-00003, Ronk Gunsmithing
September 25, 2020

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit are in conflict with the Zoning Ordinance, and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit. Prior to the commencement of the gunsmithing home business use, the Applicant shall obtain Zoning Approval for the use within one (1) year of approval of this Special Use Permit by the Board of County Supervisors, and if the Applicant does not obtain said Zoning Approval within one (1) year of approval of this Special Use Permit, then the SUP shall be void.

1. Use Parameters:

- a. Use & Area Limitations – The home business shall be limited to the service, repair, and refurbishing of firearms. The home business shall be limited to the garage area of the residence, as shown on the Ronk Gunsmithing- Residence Exhibit, date stamped July 23, 2020 by the Planning Office.
- b. Use & Storage Prohibitions – The sale, manufacturing, and reloading of all firearms and ammunition shall be prohibited with this home business use. Explosives used in ammunition, including smokeless propellant, black powder, and small arms primers, shall not be permitted to be stored on the site, unless it is for personal use. Any smokeless propellant, black powder, and small arms primers that are stored on the site for personal use shall adhere to all applicable County, State, and Federal regulations laws, codes, ordinances, and requirements.
- c. Hours of Operation – 12:00 PM – 4:00 PM Monday through Saturday.
- d. Employee(s) – There shall be no non-resident employees for the home business.
- e. Primary Residential Use – The Applicant shall continue to occupy the dwelling as their primary residence as long as the home business operation is active. The home business shall be clearly secondary to the primary residential use of the Property.
- f. Customers – There shall be no more than two customers on the Property per day and there shall be no more than one customer on the Property at one time. All customers shall be seen by "Appointment Only" and the appointment times shall be staggered to ensure that there is no more than one customer vehicle arriving or departing from the

Property at a time. Parking for customers shall be limited to the gravel driveway as shown on the House Location Survey prepared by Schools and Townsend, P.C. on November 9, 2017.

- g. Customer Parking – The Applicant shall maintain one designated parking space which shall be in the driveway for customers to utilize during the hours of operation. No parking shall be permitted on Oakview Drive.
- h. Compliance – The Applicant shall maintain all local, State, and Federal required permit(s) and licenses required for the service and repair of firearms. The Applicant shall obtain and maintain the appropriate federal firearms license (FFL) and any other applicable licenses or permits that are required from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) prior to the commencement of this proposed gunsmithing home business. The Applicant shall provide proof of such ATF licenses and/or permits to Zoning Administration staff prior to requesting the zoning approval for the gunsmithing home business. The Applicant shall abide by all local, State, and Federal laws, codes, ordinances, requirements, and regulations regarding the purchase, possession, carrying, use, storage, and service/repair of firearms.
- i. Building Code Requirements – Prior to zoning approval, the Applicant shall comply with the applicable Building Code requirements for the rural home business, unless modified by Building Development through the approval of waivers of Building Code requirements.

2. Community Design

- a. Signs – No related signage shall be allowed on the outside of the home or on the Property at any time.
- b. Exterior – The exterior of the residential dwelling shall not indicate that the residence is also being utilized as a firearms service and repair rural home business.
- c. Outdoor Storage – Outdoor storage of any equipment or materials associated with this business use on the Property shall be prohibited.

MOTION: VEGA

November 17, 2020

SECOND: CANDLAND

Regular Meeting

Ord. No. 20-47

RE: PROFFER AMENDMENT #REZ2020-00020, WOODBINE SHOPPING CENTER – COLES MAGISTERIAL DISTRICT

ACTION: APPROVED

WHEREAS, this is a proposal to amend the proffers associated with #REZ1981-0019 to allow a freestanding fast-food restaurant with drive-through facility. This is being concurrently processed with a special use permit (SUP) request to allow a drive-through facility and associated signage modifications for a new restaurant, which will replace an existing bank building with drive-through lanes; and

WHEREAS, the subject ±10.83-acre shopping center property (Woodbine Shopping Center) is located along southbound Dumfries Road (State Route 234), and southwest of the Dumfries Road / Counselor Road intersection. The property is addressed as 13550 Dumfries Road, and is identified on County maps as GPIN 7892-55-2432; and

WHEREAS, the entire property is currently zoned B-2, Neighborhood Business, and is located within the Domestic Fowl Overlay District and is partially located within both the State Route 234 (Dumfries Road) and Hoadly Road Highway Corridor Overlay Districts; and

WHEREAS, the site is designated NC, Neighborhood Commercial, in the Comprehensive Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on October 21, 2020, recommended approval, as stated in Resolution Number 20-066, on the Expedited Agenda; and

WHEREAS, a Prince William Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Proffer Amendment #REZ2020-00020, Woodbine Shopping Center, subject to the proffers dated July 10, 2020;

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BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

ATTACHMENT: Proffer Statement, dated July 10, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

Jessica Pfeiffer / Pete Dolan
Walsh, Colucci, Lubeley & Walsh, PC
4310 Prince William Parkway, Suite 300
Prince William, VA 22192

ATTEST:



Clerk to the Board

Proffer Statement

Re: #REZ 2020-00020
Applicant: Woodbine Shopping Center Associates, L.L.C.
Property: GPIN 7892-55-2432
Date: July 10, 2020

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions, which shall supersede all other proffers made prior hereto (including the proffers approved with Rezoning File No. 81-19). In the event the above-referenced proffer amendment is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void and the proffers approved with Rezoning File No. 81-19 will remain in full force and effect.

1. Subject to the notations thereon, the development plan prepared by Greenhorne & O'Mara, dated August 17, 1982 and revised October 9, 1984 is positively proffered as to road improvements, access points, right-of-way dedication, and screening along the perimeters.
2. Applicant agrees to reserve a one hundred foot (100') buffer along its western boundary line and its northern boundary line (Counselor Road). The 100-foot buffer along its western boundary line will be offsite and adjacent to that property to be zoned, and this buffer will satisfy buffer requirements affecting this site as set forth in the zoning ordinance thus eliminating the need for any additional buffer along this boundary line on the subject property to be rezoned. Where not in conflict with utility easements, Applicant shall plant and maintain within the Counselor Road buffer a single row of white pine trees approximately six feet (6') to eight (8') feet in height and twelve (12') feet on center. This planting shall take place simultaneously with the construction of the first phase. To every extent reasonable existing foliage within the buffer shall be left undisturbed. Following the approval of this rezoning, in the event any of the existing white pine trees referenced above die, those individual trees shall be replaced with an evergreen species permitted by the County's DCSM.
3. Applicant agrees that there shall be no vehicular connection or access to the subject property from that parcel located to the west.
4. Applicant agrees not to develop free-standing structures for sale of motor vehicles or fuel.
5. With reference to those parcels owned by Applicant consisting of approximately ten (10) acres located between Whitting Drive and Counselor Road, which property abuts State Route 234 and with reference to that property consisting of approximately nineteen (19) acres which abuts Counselor Road, located to the west of the property which is the subject of this rezoning, Applicant does hereby agree to record a covenant against these parcels, the substance of said covenant being to restrict the use of said parcels to residential with a

density no greater than that presently authorized by the R-1-1 zoning category of the Code of Prince William County, Virginia.

6. With reference to that property owned by the Applicant located to the east of State Route 234 opposite Whitting Drive, said parcel straddling Tayloe Drive, the Applicant, upon rezoning of this property, does hereby agree to donate up to 1.7 acres to the Board of Supervisors of Prince William County to be used for library purposes or such other purposes as deemed appropriate by said Board of Supervisors in its sole discretion. The Prince William County Board of Supervisors shall have the right to designate what portion of property owned by the Applicant, up to 1.7 acres, it would choose to have donated.
7. Applicant does hereby agree that the maximum gross square footage of buildings to be constructed for lease on the subject parcel shall not exceed 80,000 square feet.
8. Public sewer shall be used in connection with the development of this property, and applicant acknowledges that neither Prince William County nor the service authority is under any affirmative obligation to extend public sewer to this site. If desired by Prince William County Service Authority any water facilities constructed in connection with the development of this site, will be donated to the Prince William County Service Authority.

MOTION: LAWSON

November 17, 2020

SECOND: CANDLAND

Regular Meeting

Ord. No. 20-48

**RE: PROFFER AMENDMENT #REZ2020-00008, CEDAR MEADOWS – BRENTSVILLE
MAGISTERIAL DISTRICT**

ACTION: APPROVED

WHEREAS, this is a request to amend the proffers associated with Rezoning #REZ 94-0025 to clarify proffer language and allow for the future development of two pad sites for a restaurant and motor vehicle fuel station use that were anticipated with the original rezoning; and

WHEREAS, the subject site is located on the south side of Nokesville Road, approximately 281 feet southwest of the Fitzwater Drive and Nokesville Road intersection; is addressed 13111 Nokesville Road; and is identified on County maps as GPIN 7493-48-3246; and

WHEREAS, the site is zoned B-1, General Business, and parcel 7493-48-3246 is subject to proffers pursuant to #REZ94-0025.; and

WHEREAS, the subject site is designated as Agricultural or Estate (AE), in the Comprehensive Plan. The site is also located within the Nokesville Sector Plan, and the Rural Area; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on October 21, 2020, recommended approval, as stated in Resolution Number 20-071, on the Regular Agenda; and

WHEREAS, a Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practices are served by the approval of the request;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Proffer Amendment #REZ2020-00008, Cedar Meadows, subject to the proffers dated October 23, 2020;

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BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

ATTACHMENT: Proffer Statement, dated October 23, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

Walsh, Colucci, Lubeley & Walsh, P.C.

Jonelle Cameron, Esquire

4310 Prince William Parkway

Suite 300

Prince William Virginia 22192

ATTEST: _____

Andrea P. Madden

Clerk to the Board

PROFFER STATEMENT

RE: #REZ2020-00008, Cedar Meadows Proffer Amendment
Applicant/Record Owner: SDNOKEVS LLC
Property: 7493-48-3246 (hereinafter, the "Property")
Brentsville Magisterial District
Approximately 19.6617 Acres
Zoning B-1, General Business

Date: October 23, 2020

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions and shall supersede all other proffers made prior hereto, including the proffers approved with REZ #94-0025, dated August 25, 1994. In the event the above referenced rezoning is not granted as applied for by Applicant, these proffers shall be withdrawn and are null and void and the proffers associated with REZ #94-0025 shall remain in full force and effect. The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest.

TRANSPORTATION

1. Transportation Improvements in connection with the portion of the Property not subject to SUP2019-00025, 7-Eleven at Nokesville Road, shall be constructed in accordance with Public Improvement Plan SPR2016-00175, or any other site plan or Public Improvement Plan approved by Prince William County Department of Transportation.
2. In the event a use other than a golf driving range and incidental related uses is proposed for the Property, the Applicant shall, at the request of the Prince William County Department of Transportation ("PWCDOT") submit a Traffic Impact Analysis (TIA) to PWCDOT at the time a site plan is submitted for such alternative use. Further, the Applicant shall provide its proportionate share for such additional transportation improvements warranted as a result of such other use(s) as set forth in the TIA.
3. Interparcel Connectivity
 - a. If at any time in the future, the adjoining property identified as GPIN 7493-49-2502 is developed and is required to submit a site plan and said site plan for GPIN 7493-49-2502 requires an interparcel connection to the Property, the Applicant shall, upon

request from Prince William County, grant an easement for an interparcel connection in a location to be determined by the Applicant.

- b. If approved by the adjoining property owner of the property identified as GPIN 7493-49-2502, the Applicant shall grant an easement for interparcel connection in a location to be determined by the Applicant. The Applicant's obligation to grant an easement for said interparcel connection is subject to the adjoining property owner's reasonable approval and agreement and providing a reciprocal access easement and is further subject to the Applicant and the adjoining property owner entering into a mutually acceptable agreement to share the costs of the shared access ways. If an agreement cannot be reached prior to final site plan approval, the Applicant may still get final site plan approval and commence the proposed uses.

USES

4. The Property shall be developed in general accordance with the General Development Plan entitled "General Development Plan for SDNOKEVS, LLC.," prepared by Bohler Engineering, dated June 10, 2020, last revised July 30, 2020. The following uses shall be prohibited on the Property:
 - a. Car wash
 - b. Hotel or motel
 - c. Motor vehicle parts, retail
 - d. Shopping center, A, B, C or D
 - e. Theater (drive-in)
 - f. Commercial kennel
 - g. Company vehicle service facility
 - h. Heliport and helistop
 - i. Motor vehicle impoundment yard
 - j. Motor vehicle parts, with service
 - k. Motor vehicle repair
 - l. Motor vehicle sales, rental, lease
 - m. Racetrack
 - n. Radio, TV microwave tower
 - o. Truck stop with related facilities

For purposes of this Proffer 4, the use on the portion of the Property subject to SUP2019-00025, 7-Eleven at Nokesville Road shall not be included in the number of total uses that constitute a Shopping Center.

5. No more than a total of two (2) pad sites shall be developed on the Property for use as a service station(s) or restaurant(s). Notwithstanding the above:
 - a. The use on the portion of the Property subject to SUP2019-00025, 7-Eleven at Nokesville Road, shall not be included in the maximum number of pad sites mentioned above;
 - b. A maximum of one (1) pad site may be used for motor vehicle fuel sales; and
 - c. A motor vehicle fuel station shall not be permitted on the Property, or a portion thereof, so long as a motor vehicle fuel station operates on the property subject to SUP2019-00025, 7-Eleven at Nokesville Road.

ENVIRONMENT

6. In the event a portion of the one hundred foot (100') wide RPA buffer is located on the Property, the Applicant agrees not to seek a waiver to reduce said buffer on the Property.
7. A thirty foot (30') wide undisturbed area shall be maintained along the southern boundary of the Property adjacent to the railroad right of way, and said area may be included in any buffer otherwise required along this boundary of the Property. In the event it is determined that additional plantings are required to comply with any applicable buffer requirements, the Applicant may disturb said area for purposes of providing additional plantings and/or screening.

WATER AND SEWER

8. The Applicant agrees to connect development on the Property to public water and sewer if water and sewer facilities are available to the Property in accordance with the parameters set forth in the Zoning Ordinance, the appropriate capacity is available and upon the request of the Prince William County Service Authority. The construction by Applicant of water and sewer facilities required for such connection shall be sized only as necessary to provide service to the Property.

FIRE AND RESCUE

9. The Applicant shall make a monetary contribution to the Nokesville Volunteer Fire Department in the amount of \$500 to be used for fire and rescue services in the area. Said contribution shall be made at the time the first building permit is issued for the Property.

COMMUNITY DESIGN

10. The Property shall be developed in accordance with the following architectural and design guidelines:

- a. Building Awnings: The color and type of building awnings, if used shall be architecturally compatible with the building. Awnings shall be traditional sloped awnings.
- b. Building Façade: The building façade of any building facing Nokesville Road and within 200 feet of the Nokesville Road right of way shall be primarily brick, stone, wood, or similar materials in look and design. The building may contain secondary materials such as EIFS (exterior installation and finish systems), precast concrete panels, or metal panels of architectural grade and quality. This requirement only applies to building façades that face Nokesville Road on buildings located within 200 feet of the Nokesville Road right of way. The rear elevation of each building on the Property shall not face Nokesville Road.

Changes to allow additional building materials shall be approved by the Planning Director or its designee prior to the issuance of the building permit. Compliance with this proffer shall be evidenced with the submission of building elevations to the Development Services Land Development Division two weeks prior to the request for a building permit release letter.

- c. Building Roof: Building roofs for structures within 200 feet of the Nokesville Road right of way shall be mansard or sloped with a pitch. This requirement applies to any building and/or structures closest to and abutting Nokesville Road and within 200 feet of the Nokesville Road right of way.
- d. Fencing: Any fencing provided along Route 28 must be wooden or post-rail style.
- e. Landscaping: In the event the Property identified as GPIN 7493-38-8309 is rezoned or a compatible use is developed on either GPIN 7493-38-8309 or the Property, then such buffer may be reduced or eliminated in accordance with the Design and Constructions Standards Manual ("DCSM"), subject to site plan approval.
- f. Parking: Parking associated with any buildings located within 200 feet of the Nokesville Road right of way shall be located to the side and rear of the building and may not be located between the building and the right of way for Nokesville Road. This prohibition

does not include drive-aisles or drive-through lanes. This requirement applies only to parking associated with buildings located within 200 feet of the Nokesville Road right of way.

This Proffer 7 shall not apply to the portion of the Property subject to SUP2019-00025, 7-Eleven at Nokesville Road.

SIGNATURE PAGE

SDNOKES, LLC

BY: _____

NAME: _____

TITLE: _____

P1035461.DOCX

MOTION: VEGA

November 17, 2020

SECOND: LAWSON

Regular Meeting

Ord. No. 20-49

**RE: SPECIAL USE PERMIT #SUP2020-00027, WOODBINE SHOPPING CENTER –
DUNKIN DONUTS – COLES MAGISTERIAL DISTRICT**

ACTION: APPROVED

WHEREAS, this is a request to allow a drive-through facility and associated signage modifications for a new restaurant, which will replace an existing bank building with drive-through lanes. This is being concurrently reviewed with a request to amend the proffers associated with #REZ1981-0019 to allow a freestanding fast-food restaurant with drive-through facility; and

WHEREAS, the ±0.77-acre SUP site is located at the northeastern portion of the shopping center on a pad site, and is identified on County maps as GPIN 7892-55-2432 (portion); and

WHEREAS, the entire property is currently zoned B-2, Neighborhood Business, and is located within the Domestic Fowl Overlay District and is partially located within both the State Route 234 (Dumfries Road) and Hoadly Road Highway Corridor Overlay Districts.; and

WHEREAS, the site is designated NC, Neighborhood Commercial, in the Comprehensive Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on October 21, 2020, recommended approval, as stated in Resolution Number 20-067, on the Expedited Agenda; and

WHEREAS, a Prince William Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Special Use Permit #SUP2020-00027, Woodbine Shopping Center – Dunkin Donuts, subject to the conditions dated November 17, 2020, and to include revised architectural building elevations, dated November 17, 2020, to keep part of the natural brick to conform better with the existing shopping center;

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BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

ATTACHMENT: SUP Conditions, dated November 17, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

Jessica Pfeiffer / Pete Dolan
Walsh, Colucci, Lubeley & Walsh, PC
4310 Prince William Parkway, Suite 300
Prince William, VA 22192

ATTEST: _____

Andrea P. Madden

Clerk to the Board

SPECIAL USE PERMIT CONDITIONS

Owner/Applicant: Woodbine Shopping Center Associates, L.L.C. / Dunkin Donuts

Special Use Permit: #SUP2020-00027

Prince William County GPIN: portion of 7892-55-2432 (Property)

Special Use Permit Area: ±0.77 acres

Zoning: B-2, Neighborhood Business

Planned Land Use: NC, Neighborhood Commercial

Magisterial District: Coles

Date: October 28, 2020

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit or the Special Use Permit Plan (the "Plan") are in conflict with the Zoning Ordinance, and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit.

The applicant shall file a site plan within two (2) years of approval of this special use permit by the Board of County Supervisors and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use.

1. Site Development: The Property shall be developed in substantial conformance with the special use permit plan entitled "Special Use Permit Plan – Woodbine Shopping Center Dunkin Donuts," prepared by The Engineering Groupe, Inc., dated March 25, 2020, last revised October 22, 2020 (hereinafter, the "SUP Plan"), subject to minor modifications in connection with final site plan review or final engineering.
2. Use Parameters:
 - a. SUP Limitations: The use approved with this SUP shall be limited to a drive-through facility for a restaurant with one drive-through service lane and double ordering lanes, as shown on the SUP Plan. The uses permitted with this SUP do not limit or restrict the by-right uses otherwise allowed on the Property.
 - b. Hours of Operation: Hours of operation may be twenty-four (24) hours a day, seven (7) days per week.
 - c. Outdoor Speaker System: The system to be used for ordering shall not be audible outside the limits of the SUP area.

3. Community Design

- a. Architecture: The design of the building shall be substantial conformance with the building elevations entitled "Exterior Elevations," dated September 28, 2020 (hereinafter, the "Elevations"). The Elevations may be subject to minor modification approved by the County in connection with site plan review. Additional changes to the design and materials may be made provided that any such changes are approved by the Planning Office prior to the issuance of a building permit release letter. Such approval shall be based on a determination that the changes result in a building that is of equal or better quality than that shown on the Elevations. At least two weeks prior to requesting a building permit release letter from Development Services, the Applicant shall submit building elevations so that it can ensure compatibility of the building with the Elevations.
- b. Refuse Storage Area: The refuse storage/dumpster enclosure area shall be located in the area shown on the SUP Plan and shall utilize a compatible design theme and similar materials as the building. Such dumpster area shall be screened with an opaque enclosure with a gate that prohibits viewing this area from public right-of-way, and shall remain closed when not in use. Landscaping adjacent to the refuse storage area shall be provided as shown on the SUP Plan. This landscaping shall incorporate evergreen shrubs.
- c. Outdoor Seating Area: An outdoor seating area shall be provided as depicted on the SUP Plan. The Applicant shall provide a separation/border barrier, such as a railing, decorative wall, potted plants, etc., to delineate and screen the area from the adjacent parking spaces and drive aisle areas. Such design shall be compatible with the ultimate design theme of the building. Compliance shall be demonstrated on the final site plan.
- d. Landscaping Enhancements: All landscaping shall be provided in substantial conformance with the SUP Plan. All new plantings shall be drought-resistant and indigenous or other species approved with the final site plan. The Applicant shall coordinate with the County Arborist on specific planting species to ensure optimal survivability and design aesthetics.

The Applicant shall minimize impacts to the existing landscaping on the western side of the building, to the extent practicable. In the event that existing landscaping is removed, it shall be replaced with comparable planting material.

- e. Signage: All signage shall be in substantial conformance with the sign elevations entitled "Illustrative Sign Elevations", dated September 28, 2020 ("Sign Elevations"). In accordance with section 32-250.23.6 of the Zoning Ordinance, the Applicant shall be permitted the sign modifications as proposed in the Sign Elevations. In addition, the following shall apply to signage and advertisements onsite:

- i. Banners, pennants, streamers, balloons, figures, and other attention getting devices not permitted by the Zoning Ordinance shall be strictly prohibited. This restriction is not intended to prohibit flags as permitted by the Zoning Ordinance or grand opening signage.
 - ii. Minor/Directional signage, as shown in the Sign Elevations, shall be provided as required or needed.
 - iii. Parking and signage for handicapped customers shall be provided in accordance with the DCSM and other current standards.
 - iv. Unless not required by the Zoning Ordinance, sign permits are required for all signs. Color, scaled renderings of all signage shall be submitted as part of the sign permit approval process.
4. Lighting: No neon or spot lighting shall be permitted. All lighting shall be directed down and/or towards the restaurant and shall not be directed towards the adjacent property lines.
5. Fire & Rescue: The Applicant shall make a monetary contribution of \$0.61 per square foot of the proposed building addition (± 160 square feet) for fire and rescue services to the Board of County Supervisors prior to and as a condition of building permit issuance.
6. Maintenance of the Property
 - a. Trash Removal: The Applicant shall maintain the Property and shall pick up trash, litter, and debris on a daily basis, or as needed.
 - b. Graffiti Removal: The Applicant agrees to remove any graffiti from the Property. Graffiti shall be deemed any inscription of marking on walls, buildings, or structures not permitted by the sign regulations in Section 32-250.21. *et seq.* of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal.
7. Environment / Water Quality: The Applicant shall contribute \$75 per acre (± 0.77 acres) to the Board of County Supervisors prior to and as a condition of final site plan approval for the County to conduct water quality monitoring, stream restoration, and/or drainage improvements.
8. Transportation
 - a. Access & Onsite Circulation: Access to the Property shall be as shown on the SUP Plan, including all drive-through lane improvements with striping and directional markings.
 - b. Turn Lane Improvement: The Applicant shall construct the right-turn lane improvements on Route 234 into the existing shopping center entrance, as shown on the SUP Plan, including a 200-foot taper and 100-foot turn lane along southbound Dumfries Road (Route 234).

- c. The Applicant shall ensure that any vehicles associated with the use do not obstruct the travelways, drive aisles, fire lanes, adjoining road network, or encroach upon landscaped areas.
 - d. Restriction of Timeframe for Loading: In order to minimize impacts to vehicles using the bypass lane associated with the drive-through facility, delivery and loading/unloading times associated with restaurant operational deliveries (excluding customer delivery of food) shall occur during off-peak hours in the loading space area, as designated on the SUP Plan. Such hours shall be determined and coordinated by onsite management of the restaurant.
9. Connections to Public Water & Public Sewer: The Property shall connect to public water and public sewer.
10. Escalator: In the event the monetary contributions set forth in the development conditions are paid to the Prince William Board of County Supervisors within eighteen (18) months of the approval of this special use permit, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in the development conditions which are paid after eighteen (18) months following the approval of this special use permit shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor such that, at the time the contributions are paid, they shall be adjusted by the percentage change in the CPI-U from the date eighteen (18) months after the approval of this special use permit to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six (6%) percent per year, non-compounded.

MOTION: LAWSON

November 17, 2020

SECOND: CANDLAND

Regular Meeting

Ord. No. 20-50

**RE: PROFFER AMENDMENT #REZ2021-00002, VIRGINIA OAKS – BRENTSVILLE
MAGISTERIAL DISTRICT**

ACTION: APPROVED

WHEREAS, this is a proposal to amend the proffers associated with #REZ1994-0026 and #REZ1995-0007 to amend the Virginia Oaks Master RPC Zoning Plan to remove the golf course designation(s), to re-designate specific areas for Community Facilities, and to revise the proffers to reflect the re-planning and re-designation of certain areas of the development, as well as to update and align the proffers with current conditions; and

WHEREAS, the impacted subject property includes ±15 acres of the total golf course area, which consists of ±165.65 acres, which is generally located southwest of the intersection of Virginia Oaks Drive and Lee Highway (State Route 29), west of Royal Sydney Drive, and along Clubhouse Road; and

WHEREAS, the ±165.65-acre property subject to the proffer amendment is identified on County maps as GPINs 7396-48-4125, 7396-58-4972, 7396-59-3972, 7396-69-4076, 7397-20-9268, and 7397-33-8201; and

WHEREAS, the site is currently zoned RPC, Residential Planned Community (Open Space/Golf Course/Golf Recreation), and is partially located within the Lee Highway (State Route 29) Highway Corridor Overlay District; and

WHEREAS, the site is designated RPC, Residential Planned Community, in the Comprehensive Plan, and is within the I-66/Route 29 Sector Plan special planning area; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on November 4, 2020, recommended approval, as stated in Resolution Number 20-075, on the Regular Agenda; and

WHEREAS, a Prince William Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

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Page Two

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Proffer Amendment #REZ2021-00002, Virginia Oaks, subject to the proffers dated November 9, 2020;

BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

ATTACHMENT: Proffer Statement, dated November 9, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

Noah Klein, Attorney at Law
Odin Feldman Pittleman, PC
1775 Wiehle Avenue, Suite 400
Reston, VA 20190

ATTEST: _____

Andrea P. Madden

Clerk to the Board

PROFFER STATEMENT

RE: Proffer Amendment #REZ2021-00002 (previously REZ# 94-0026 and #95-007)
Record Owner: Virginia Oaks Association, Inc.
Property: GPINs 7397-33-8201; 7396-59-3972; 7397-20-9268; 7396-58-4972; 7396-69-4076 and 7396-48-4125
Brentsville Magisterial District
Prince William County, Virginia
165.6573 acres (assessed)
Date: June 4, 2020
October 1, 2020
October 20, 2020
November 9, 2020

The undersigned does hereby proffer that the use and development of this Property shall be in strict accordance with the following conditions and that these conditions supersede all prior submissions and the proffers accepted by the Prince William Board of County Supervisors in conjunction with REZ# 94-0026 and REZ#95-007. In the event the above-referenced zoning and proffer amendment are not granted as applied for by Applicant, then the below-described proffers shall be deemed withdrawn and null and void and the previously approved proffers shall be in full force and effect. The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The term "Applicant" as referenced herein shall include within its meaning all future owners and successors in interest. The term "MZP" as referenced herein refers to the Master Zoning Plan Amendment REZ#21-00002 (Previously #94-0026 and #95-0007) dated July 10, 2020, as revised September 25, 2020, prepared by Land Design Consultants, Inc.

A. STORM WATER MANAGEMENT AND RUNOFF CONTROLS

1. Monitoring: Applicant shall grant the easements necessary to allow the Department of Civil Engineering, Virginia Polytechnic Institute, Occoquan Monitoring Lab ("OML") to have access to and place or relocate monitoring stations on the subject Property. In addition to monitoring stations which would typically be located on the western edges of said Property, Applicant agrees to allow for the placement of monitoring stations immediately adjacent to wet ponds, if any, to be constructed by

Proffer Amendment #REZ2021-00002
Virginia Oaks
November 9, 2020

Applicant as a Best Management Practice ("BMP") in order to monitor runoff from such ponds.

2. Use of BMPs:

a. Applicant shall utilize Best Management Practices ("BMP") for the retention of stormwater runoff prior to its drainage into Lake Manassas. Where practical from an engineering standpoint, BMPs shall include, but not necessarily be limited to, uses of such practices as wet ponds, underground trenching systems and natural swales. BMPs over and above those normally used (relative to design and coverage) will be incorporated into the program for water quality control. Typical examples include the construction of berms to intercept sheet runoff and direct it back onto the Property and diversion trenches (sand and/or gravel) to filter and convey runoff to the BMP ponds. Use of erosion and siltation control measures shall be implemented during construction and completed development phases as the Property is developed and BMPs shall be implemented in the overall development of the Property. Applicant agrees to be responsible for the maintenance of all such erosion and siltation controls and BMP facilities constructed and/or implemented.

b. Applicant shall maintain dams on the two portions of Lake Manassas which intrude into the Property as generally depicted on the Buffer Encroachment Plan dated November 9, 1987 ("Buffer Encroachment Plan"). If such dams are no longer deemed necessary by Prince William County or the City of Manassas or their maintenance is not practical, Applicant shall provide alternative BMP facilities to meet standard stormwater management criteria. Applicant acknowledges that the rights to use of dammed water shall remain with the City.

3. Corrective Action: Applicant shall at its expense immediately take such corrective action necessary to eliminate any adverse effect to Lake Manassas caused by the development of the subject Property.

4. Maintenance Plan:

a. Applicant agrees to submit to Prince William County, or its successors in interest ("County") and the City of Manassas ("City") for approval on an annual basis the program for the maintenance of the open spaces of which Applicant, or its successor in interest, retains fee ownership relative to the residential and office/commercial areas. This program will include the types and amounts of fertilizers, pesticides, herbicides, and the like to be used, rate and time of application. The approval by the County and City of the program submitted shall not be unreasonably withheld.

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- b. In connection with the residential units to which Applicant will not retain fee ownership, Applicant shall provide the owners of each unit with a copy of a suggested maintenance program for their yard, including the types and amounts of fertilizers, pesticides, herbicides, and the like to be used and the rate and time of application.
 - c. In connection with the development of the subject Property, Applicant shall maintain an umbrella organization, which shall be a part of, related to, or the same umbrella organization to be formed pursuant to Rezoning #86-23, whose responsibility shall include but not necessarily be limited to the maintenance of open spaces of which Applicant retains fee ownership relative to the residential and office/ commercial areas. This umbrella type association may have entities subject to its control which would individually be responsible for certain portions of such maintenance in various areas of the Property but ultimate control shall be exercised by this umbrella association. Examples of control shall be consolidated contracting for such maintenance provisions and/or the use of covenants recorded against and which run with the land which will require individual owners to be subject to a master maintenance program.
5. Slopes: South of Lake 2, as said Lake is identified on the Master RPC Zoning Plan, prepared by Dewberry and Davis and dated March 24, 1994, with latest revisions dated October 17, 1994, ("Master RPC Zoning Plan"), and within three hundred feet (300') of the existing Lake Manassas shoreline, existing wooded areas on the Property which are located on slopes of 25% and greater shall remain undisturbed. For purposes of this proffer, the existing Lake Manassas shoreline shall be defined to exclude those areas located east of the dams referenced in Paragraph A.2.b above.

B. BUFFERS

1. The Applicant agrees that it shall retain a fifty (50') foot (as measured along ground contours) undisturbed buffer area along that portion of the Applicant's boundary which is adjacent to and abuts Lake Manassas; provided, however, the Applicant shall retain a 100' buffer within areas controlled by the Virginia Oaks Home Owners Association ("HOA") and agrees that any new amenity structures that may be developed in the HOA-controlled open space shall not encroach into that buffer, unless in accordance with the Chesapeake Preservation Act. Applicant shall have the right, however, to maintain or replace any existing former golf course cart path (paved trail), or existing pump station for irrigation or sanitary sewer pumping with attendant required auxiliary power source or emergency holding pond, erosion and siltation controls, BMP facilities, utility and sewer lines, and all structures and

Proffer Amendment #REZ2021-00002
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November 9, 2020

encroachments in existence as of the date of this Proffer Statement. In keeping with requirements for the Chesapeake Bay Preservation Area and other environmental concerns and regulations, encroachment shall at all times be minimal providing for no more soil disturbance and vegetation destruction than is absolutely necessary to effect the particular site encroachment.

2. The Applicant shall retain a fifteen (15') foot wide undisturbed buffer along its eastern boundary adjacent to the existing Lakeview Estates Subdivision which may, in the discretion of the Applicant, be a part of individual dwelling unit lots.
3. The Applicant shall retain a fifty foot (50') wide buffer area of existing vegetation along the western property boundaries adjacent to GPIN Parcel 7397-21-7084, along the northern property boundary adjacent to GPIN Parcels 7397-32-0381 and 7397-32-3093, and along the eastern boundary adjacent to GPIN Parcels 7397-42-7474 and 7397-42-8553. Within said buffer, the Applicant reserves the right to construct a ten foot (10') high board fence.
4. The Applicant shall provide a minimum fifty foot (50') wide buffer between GPIN Parcels 7397-32-3093 and 7397-33-4801 and any adjacent residential lots located on the Property.
5. The Applicant shall provide a fifty foot (50') wide landscaped area along the Route 29 frontage of the Property. Within said landscaped area, the Applicant shall maintain an undulating berm and plantings so as to create a landscape/screening effect equivalent to the SBD-6 standard contained in the Prince William County Design and Construction Standards Manual.

C. RIGHT OF ENTRY

The Applicant shall provide right of entry to authorized personnel of Prince William County, State Water Control Board, Virginia Department of Health, Virginia Department of Environmental Quality, and City of Manassas where deemed reasonably necessary by such entity to monitor and/or inspect the Property.

D. ON-SITE FUEL STORAGE

On-site fuel storage shall be limited to fuel necessary for maintenance vehicles associated with the open space, clubhouse, and recreational facilities, and fuel storage necessary for operation of the pump station located on the Property.

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E. PARKING LOTS

Parking lots shall be designed and constructed to provide interior landscaping equal to a minimum of five percent (5%) of the total paved parking area, said landscaping to include a minimum of one (1) 2" to 2 ½" caliper, canopy shade tree for each three hundred (300) square feet of landscaped area provided.

F. LIGHTING

Lighting associated with parking lot areas throughout the development shall not exceed sixteen (16') feet in height and shall be directed downward and inward.

G. COVENANTS

Applicant agrees that the Declaration of Covenants, Conditions and Restrictions which shall be recorded against the Property shall include the following:

1. An acknowledgment that Lake Manassas is not a recreational amenity or otherwise a part of Virginia Oaks, but rather is a public water supply subject to control and direction of the City of Manassas.
2. A provision which will require each owner of a unit or lot to utilize an approved maintenance program for individual yards which include the types and amounts of fertilizers, pesticides, herbicides and the like to be used and the rate and time of application. This maintenance program shall be part of the maintenance plan discussed in Paragraph A.4.b above.

H. UTILITIES

Applicant acknowledges and agrees that the Property shall be serviced by public sewer and water.

I. TRANSPORTATION

[Proffers I.1-I.4 are deleted in their entirety.]

The Applicant shall maintain an eight foot (8') wide asphalt bicycle trail along the Route 29 frontage of the Property. The Applicant reserves the right to construct said trail within the fifty foot (50') wide landscaped area provided for in Paragraph B.4. above.

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J. RECREATION

1. On-site recreation for the benefit of residents on the Property shall consist, at a minimum, of the following facilities:
 - a. Four (4) athletic courts
 - b. Bathhouse
 - c. Twenty-five (25) meter swimming pool
 - d. Open play area
 - e. Tot lot
 - f. Picnic Area
2. Pedestrian trails and/or sidewalks will be provided to connect the residential areas with the recreation facilities listed in Paragraph J.1. above and the community clubhouse.
3. Additional recreation facilities may be located within areas identified as Open Space on the MZP, provided they are not located within the Chesapeake Bay Preservation Area(s). Such facilities may include interpretive trails, boardwalks, fitness stations, tot lots, play areas, picnic areas/tables, pavilions, and non-permanent sheds or support structures no larger than ten by sixteen feet (10' X 16'), so long as such structures also meet any restrictions imposed by the Virginia Department of Environmental Quality, where applicable. Any such structures or facilities contemplated by this paragraph shall be restricted to community, maintenance or community support, and shall not be used for commercial purposes.

K. COMMUNITY FACILITIES

The following areas are designated as Community Facilities on the MZP and use of these areas shall be governed per Paragraph J above as well as described herein.

1. The clubhouse structure and its surrounding community facilities area as depicted on the MZP shall serve the Applicant as a community events center with programming and space for resident-focused meeting, casual, recreational, and social uses. Rental activities providing income to the Applicant from sources not affiliated with residents or resident groups shall be limited to no more than eighty (80) events per year. The clubhouse commercial kitchen shall be restricted to professional use in support of events taking place within community areas with an RPC "Community Facilities" or "Open Space" designation.
2. The areas identified by Exhibits B and C shall allow the option for ancillary parking associated with community facilities; provided, however, that only one of the areas

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- identified by Exhibits B and C shall allow the option for additional dedicated townhouse/villa parking without community or recreational amenities, and only after buildable parking options available in nearby areas with an RPC "Residential" designation have been exhausted, as determined by the HOA.
3. Any proposed event to be held at the clubhouse structure, as permitted per Proffer K.1., which does not meet available parking at the clubhouse area shall require a Temporary Activity Permit.

L. SCHOOLS

The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors for each residential unit in excess of the amount already paid for 323 units, said contribution to be in the amount of \$1,270.00 per single family detached dwelling, \$860.00 per single family attached dwelling and \$365.00 per multifamily dwelling to be used for school site acquisition and construction purposes. Said contributions shall be made at the time a building permit is issued for each dwelling unit after 323 residential building permits have been issued.

M. DENSITY

1. Residential development on the Property, shall not exceed a total of 585 dwelling units.
2. Development within the Commercial portion of the Property, as designated on the Master RPC Zoning Plan Amendment prepared by Dewberry & Davis, dated, March 24, 1994, and last revised October 17, 1994, shall not exceed a floor area ratio (FAR) of 0.25.

N. FIRE AND RESCUE

Applicant agrees to make a monetary contribution to Prince William County Board of Supervisors to be used for fire and rescue services in this area. Said payment shall be in addition to the \$15,000 already contributed in connection with development of the Property and shall be \$50.00 per dwelling unit for all units in excess of 323 units. Said contribution shall be paid on a per unit basis at the time a building permit is issued for each unit after the 323rd unit.

O. SITE DEVELOPMENT

1. This proffer is deleted in its entirety

Proffer Amendment #REZ2021-00002
Virginia Oaks
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2. No buildings shall be constructed within twenty-five feet (25') of the existing Atlantic Seaboard Corporation Gas Line easement traversing the Property with the exception of facilities necessary for public utilities.
3. There shall be no vehicular connection between the Property and the adjacent existing Lakeview Estates subdivision.
4. This proffer is deleted in its entirety.
5. The general locations of various types of units on the Property shall be in accordance with the Master RPC Zoning Plan.
6. The average lot size of those lots located immediately adjacent to Lakeview Estates shall be a minimum of 15,000 square feet.

P. ARCHITECTURE AND AESTHETICS

1. Development of the RPC "Commercial" and "Community Facilities" designated areas on the Master RPC Zoning Plan will utilize a coordinated architectural design theme for all buildings in accordance with design and architectural guidelines adopted by the Applicant.
2. The exterior walls of the buildings located in the area designated RPC "Commercial" or "Community Facilities" on the Master RPC Zoning Plan shall not be split block or corrugated metal.
3. All outside storage and refuse areas within the "Commercial" or "Community Facilities" areas shall be located on the Property as unobtrusively as possible. Said areas shall be screened using opaque fences, walls or landscaping.
4. All rooftop mechanical equipment shall be screened. Said screening shall be sufficient to prevent said rooftop mechanical equipment from being viewed from the public rights of way and properties immediately adjacent to the Property. Said screening shall be designed as an architectural element that matches or is the same material used on the building.
5. The Applicant shall provide shade trees along both sides of Virginia Oaks Drive, said trees to be 2 1/2" to 3" caliper at time of planting and planted at a rate of one tree per fifty feet (50') of road frontage, except where precluded by sight distance requirements. The Applicant reserves the right to provide varied spacing between trees where necessary for engineering purposes.

Proffer Amendment #REZ2021-00002
Virginia Oaks
November 9, 2020

Q. SIGNAGE

The following are the only permanent freestanding signs, other than directional and safety, which will be allowed on the Property:

1. In that portion of the Property designated RPC "Commercial", no more than one (1) freestanding business sign per building shall be allowed, said sign to be of a monument type and not to exceed six feet (6') in height.
2. Two (2) freestanding community identification signs near the entrance(s) to the Property, said signs to be of a monument type and not to exceed six feet (6') in height, subject to any required approvals and permits from the Virginia Department of Transportation (VDOT), the County, and/or any applicable parcel owner(s).
3. A maximum of two (2) community identification signs which shall be designed as an integral element of the entry wall feature at the intersection of the entrance road and Route 29.
4. Residential "sub-community" entrance signs within the community which are not visible from Route 29 and not to exceed six feet (6') in height.

R. ESCALATOR

The monetary contributions set forth herein shall be adjusted to account for inflationary effects during the period of time following approval of this Rezoning #REZ2021-00002, by the Board of County Supervisors. The contribution amount shall be adjusted by the percentage change in the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor as calculated from the date of final zoning approval by the Board of County Supervisors to the date of payment, subject to a maximum noncompounded annual adjustment of seven percent (7%) until paid.

S. CULTURAL RESOURCES

This proffer is deleted in its entirety.

T. LIBRARIES

The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$5.00 per dwelling unit for use in the purchase of library books. Said contribution shall be paid on a per unit basis beginning with the issuance of the building permit for the 324th unit and continuing up to the time of issuance

Proffer Amendment #REZ2021-00002
Virginia Oaks
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of the building permit for the 585th dwelling unit.

U. CEMETERY

A fifty-foot (50') setback from all new residential lot lines and/or new structures constructed on the Property shall be maintained from the existing cemetery fence located on GPIN Parcel 7396-69-4076, except for any needed underground utilities and stormwater management facilities. A twenty-five foot (25') wide landscaped area utilizing existing and/or new vegetation shall be provided around the perimeter of the cemetery outside the existing cemetery fence.

#4818938v1

MOTION: ANGRY

**November 17, 2020
Regular Meeting
Ord. No. 20-51**

SECOND: VEGA

**RE: SPECIAL USE PERMIT #SUP2020-00031, RIDGEFIELD VILLAGE RETAIL CENTER –
NEABSCO MAGISTERIAL DISTRICT**

ACTION: APPROVED

WHEREAS, this is a request to allow a restaurant with drive-through facility and associated signage on ±1.42 acres; and

WHEREAS, the subject property is located property is located at 12701 Ridgefield Village Drive, and is identified on County maps as GPIN 8093-72-6502; and

WHEREAS, the site is zoned B-1, General Business; and

WHEREAS, the site is designated CEC, Community Employment Center, in the Comprehensive Plan and is located within the Government Center Sector Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on October 21,2020, recommended approval, as stated in Resolution Number 20-069, on the Regular Agenda; and

WHEREAS, a Prince William Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Special Use Permit #SUP2020-00031, Ridgefield Village Retail Center, subject to the conditions dated October 21, 2020;

BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

November 17, 2020
Regular Meeting
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Page Two

ATTACHMENT: Conditions, dated October 21, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

Mr. Sherman Patrick
Compton and Duling
12701 Marblestone Drive, Suite 350
Woodbridge, Virginia, 22192

ATTEST: _____

Andrea P. Madden

Clerk to the Board

PROPOSED CONDITIONS

Title: Ridgefield Village Center Retail – SUP2020-00031
Restaurant with Drive-Up Window Service
Applicant: NLD Ridgefield, LLC
Owner: LIDLUS Operations, LLC
GPIN Property: 8093-72-6502 (portion of)
Special Use Permit Area: ± 1.42 acres
Magisterial District: Neabsco
Date: October 21, 2020

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit or the Special Use Permit Plan (the "SUP Plan") are in conflict with the Zoning Ordinance, and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit.

The Applicant shall file a site plan within one (1) year of approval of this special use permit by the Board of County Supervisors and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use. Failure to adhere to the required timeframe will result in this special use permit becoming null and void.

1. **Site Development** – The property shall be developed in substantial conformance with these conditions and the Special Use Permit Plan entitled "Ridgefield Village Retail Center" prepared by Smith Engineering, dated September 14, 2020 (the "SUP Plan"), subject to minor modifications necessary during final site plan review or due to final engineering considerations.
2. **Use Parameters**
 - a. **Use Limitations** - The use shall be limited to a restaurant with a drive-up window service generally as shown on the SUP Plan. The restaurant with drive-up window use shall be no larger than 2,500 square feet in floor area.
 - b. **Hours of Operation** - Hours of operation for the drive-through facility may be 24 hours per day, seven days per week.
 - c. **Outdoor Speaker System** - This system shall be limited to speakers to be located at the ordering stations, and shall not be audible outside of the SUP area.
3. **Historic Resources**
 - a. **Historic Marker** - Prior to issuance off the occupancy permit, the applicant shall make a monetary contribution of up to \$3,000 to the Prince William County Board of Supervisors for the installation of a historic marker commemorating the area known as Hoadly or other historical topic deemed appropriate by the Prince William County Historical Commission.

PROPOSED CONDITIONS
Ridgefield Village Center Retail – SUP2020-00031
Restaurant with Drive-Up Window Service
October 21, 2020

4. Community Design

- a. Architecture - The design of the building and colors shall substantially conform to the architectural elevations included in the plans titled “Ridgefield Village Retail Center – Renderings and Elevations” prepared by Intec, dated May 5, 2020 (hereinafter, the “Elevations”). The Elevations may be subject to minor modifications approved by the County in connection with final site plan review. Changes to the design and materials may be made, provided that any such changes are approved by the Planning Office prior to the issuance of a building permit release letter. Such approval shall be based on a determination that the changes result in a building that is of equal or better quality than that shown on the Elevations. At least two weeks prior to requesting a building permit release letter from Development Services, the Applicant shall submit building elevations so that it can ensure compatibility of the building with the Elevations
- b. Corporate Identity – Variation from the building elevations and the signs conditioned herein shall be permitted to allow future design updates to the subject use, provided the integrity of the overall site layout is not compromised and subject to a finding by the Planning Director that the variation will provide an equal or improved design. The Applicant shall submit the architectural elevations and/or any sign designs to the Planning Director for review and approval for consistency with the architecture proposed herein a minimum of two weeks prior to the request for issuance of the building permits for such building or sign permits.
- c. Landscaping - The Applicant shall provide landscaping on-site in substantial conformance with Sheet 3 of the SUP Plan. All the plantings shall consist of drought tolerant species appropriate for the climate and location proposed and shall consist of native species to the extent required by the DCSM.
 - i. The Applicant shall provide mulched planting beds with perennials, shrubs, and ornamental trees as proposed on Sheet 3 of the SUP Plan.
- d. Refuse Storage Areas - The refuse storage area shall be screened with a solid masonry enclosure, which matches the material types and material colors of the proposed buildings. The refuse storage enclosure shall be gated to prohibit viewing this area from adjoining properties and public rights-of-way. The gates shall remain closed when not in use and the trash containers shall be emptied as necessary to prevent odors or infestation by vermin. All refuse storage areas shall be shown on the final approved site plan.
- e. Lighting - Freestanding lighting fixtures shall be a maximum of 18 feet in height and limited to full cut off fixtures that direct light downward and shall comply with the outdoor lighting standards for nonresidential users as required by Zoning Ordinance section 32-250.203.

PROPOSED CONDITIONS
Ridgefield Village Center Retail – SUP2020-00031
Restaurant with Drive-Up Window Service
October 21, 2020

- f. Signage - All signage shall comply with the standards set forth in the Zoning Ordinance and Design and Construction Standards Manual (DCSM). In addition, the following shall apply to signage and advertisements on the Property:
- i. Freestanding Sign – A maximum of one externally illuminated freestanding sign shall be permitted along Hoadly Road. Said signs shall not exceed 10 feet in height relative to the grade elevation of said roads in the immediate vicinity of the sign location. The sign face areas, as defined by the Zoning Ordinance, shall not exceed 80 square feet. Compliance with the sign location requirements shall be demonstrated on the final approved site plan. Compliance with the height and area requirements shall be demonstrated in the sign permit application submitted and approved prior to sign installation.
 - ii. Handicapped Parking Signage - Parking and signage for handicapped customers shall be provided in accordance with the DCSM and other current standards. Compliance shall be demonstrated on the final approved site plan.
 - iii. On-site Directional Signs - Directional signage shall be provided as shown on the final approved site plan as required or needed. Compliance shall be demonstrated on the final approved site plan.
 - iv. Facade Signage – Facade signage shall be in accordance with the Zoning Ordinance and the principal advertising sign for the restaurant with drive-up window service shall be in substantial conformance with the Elevations. Compliance shall be demonstrated in the sign permit application submitted and approved prior to sign installation.
 - v. Sign Permits - Sign permits are required for all signs. Colored, scaled renderings of all signage shall be submitted as part of the sign permit approval process.

5. Maintenance of Property

- a. Site Maintenance - The Applicant shall maintain the site and shall pick up trash, litter, and debris on a daily basis or more often as needed.
- b. Graffiti Removal - The Applicant agrees to remove any graffiti from the Property. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32-250.21 et. seq., of the Zoning Ordinance. Any graffiti shall be reported to the Prince William County Police Department before removal.

6. Environment

- a. Stormwater Management/BMP –SWM/BMP shall be provided on-site, underground as shown on the SUP Plan, or off-site as determined at final site plan approval.

PROPOSED CONDITIONS
Ridgefield Village Center Retail – SUP2020-00031
Restaurant with Drive-Up Window Service
October 21, 2020

7. Fire and Rescue

- a. Emergency Spill Contingency/Notification - The Applicant shall prepare an emergency spill notification contingency plan for submission with the site plan and shall have the same approved by the Fire Marshal and posted on the premises before the issuance of any occupancy permits. The Applicant shall be responsible for notifying the Fire Marshal's office immediately in the event of a spill of any petroleum or chemical waste on the Property. The Applicant shall assume full responsibility for the costs incurred in the cleanup of such spills.

8. Transportation

- a. Pedestrian Access – Sidewalks and crosswalks shall be provided on the final site plan as shown on the SUP Plan as determined necessary and appropriate by the County during final site plan review.
- b. Stacking Spaces – The drive-through stacking spaces shall be provided as shown on the SUP Plan and shall be no less than the minimum number required in the DCSM.
- c. Obstruction of Travelways – The Applicant shall ensure that any vehicles associated with the use of the property do not obstruct the travel ways, fire lanes, adjoining road network, or parking spaces as shown on the SUP Plan.
- d. Vehicular Access Points - The property shall be allowed two access points as shown on the SUP Plan. Compliance shall be demonstrated on the final approved site plan.
- e. Provision of Access -The internal private roads, joint driveways and joint travel ways as approved in earlier rezonings and special use permits that are not already constructed, shall be approved for construction, bonded and constructed to a degree operational and useable by the public (i.e. paved with curb and gutter) prior to the issuance of an occupancy permit for the restaurant with drive-up window service uses.
- f. Internal Maintenance -The internal private road, joint driveways and joint travelways approved in the referenced earlier rezonings and special use permits shall be maintained by the owners of the properties served and/or the owner(s) of the underlying property including the owner of the subject property. Parking, walking, and driving surfaces shall be maintained in a manner that results in safe foot and vehicle traffic at all times.
- g. Bike Parking – The Applicant shall provide one (1) bike parking facility onsite in the location shown on the SUP Plan. The bike parking shall conform to the Association of Pedestrian and Bicycle Professional (APBP) standards. Compliance shall be demonstrated on the final approved site plan.

PROPOSED CONDITIONS
Ridgefield Village Center Retail – SUP2020-00031
Restaurant with Drive-Up Window Service
October 21, 2020

9. **Connection to Public Water & Sewer** - The property shall be connected to public water and sewer with the applicant bearing all costs associated with providing all on and off site facilities to make such connection.

10. **Courtesy Review** - The Applicant shall present the final site plan, signage, lighting and storm water management for the development proposed to LOCCA/PELT for a courtesy review at least two (2) weeks prior to the first submission of the final site plan to Prince William County for review. A letter to LOCCA/PELT, a LOCCA/PELT agenda or similar evidence of the Applicant's provision of the final site plan for the courtesy review shall be provided to the county prior to approval of the final site plan.

Monetary Escalator - In the event the monetary contributions set forth in the development conditions are paid to the Prince William Board of County Supervisors within eighteen (18) months of the approval of this special use permit, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in the development conditions which are paid after eighteen (18) months following the approval of this special use permit shall be adjusted in accordance with the Urban Consumer Price Index (CPI-U) published by the United States Department of Labor, such that at the time the contributions are paid they shall be adjusted by the percentage change in the CPI-U from the date eighteen (18) months after the approval of this special use permit to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six (6%) percent per year, non-compounded

MOTION: CANDLAND

November 17, 2020

SECOND: LAWSON

Regular Meeting

Ord. No. 20-52

**RE: SPECIAL USE PERMIT #SUP2020-00036, SK CONSULTANTS – GAINESVILLE
MAGISTERIAL DISTRICT**

ACTION: APPROVED

WHEREAS, this is a request to allow a home-based firearm sales internet business with in-person customers by appointment only; and

WHEREAS, the subject ±0.18-acre property is located at 15268 Cartersville Court, which is located in the Haymarket Crossing Community. The site is identified on County maps as GPIN 7298-64-7571.01; and

WHEREAS, the site is zoned R-16, Suburban Residential, with proffers; and

WHEREAS, the site is designated Regional Employment Center (REC) in the Comprehensive Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on October 7, 2020, recommended approval, as stated in Resolution Number 20-065, on the Regular Agenda; and

WHEREAS, a Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on November 17, 2020, and interested citizens were heard; and

WHEREAS, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practices are served by the approval of the request;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Special Use Permit, #SUP2020-00036, SK Consultants, subject to the conditions dated September 11, 2020;

BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

November 17, 2020
Regular Meeting
Ord. No. 20-52
Page Two

ATTACHMENT: Conditions, dated September 11, 2020

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Lawson, Vega, Wheeler

Nays: Franklin

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

Simon Khiabani
15268 Cartersville Court
Haymarket, VA 20168

ATTEST: _____

Andrea P. Madden

Clerk to the Board

Conditions
Applicant/Lessee: Simon Khiabani
Zoning: R-16, Suburban Residential
Acreage: ±0.18 acres
GPIN: 7298-64-7571.01 ("Property")
District: Gainesville
SUP2020-00032, SK Consultants
September 11, 2020

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit are in conflict with the Zoning Ordinance, and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit. Prior to the commencement of the firearm sales home business use to allow in person customers, the applicant shall obtain Zoning Approval for the home based firearm sales home business within one (1) year of approval of this Special Use Permit by the Board of County Supervisors, and if the applicant does not obtain said Zoning Approval within one (1) year of approval of this Special Use Permit, then the SUP shall be void.

1. Use Parameters:

- a. Use & Area Limitations – The home business shall be limited to the sale of firearms. The home business shall be generally located on the ground floor of the residence, as shown on the SK Arms Home Employment -Ground Floor Exhibit, date stamped September 15, 2020 by the Planning Office.
- b. Use & Storage Prohibitions – The sale, manufacturing, and reloading of ammunition shall be prohibited with this home business use. Explosives used in ammunition, including smokeless propellant, black powder, and small arms primers, shall not be permitted to be stored on the Property, unless it is for personal use. Any smokeless propellant, black powder, and small arms primers that are stored on the Property for personal use shall adhere to all applicable County, State, and Federal laws, codes, ordinances, requirements, and regulations.
- c. Hours of Operation – 9:00 AM – 6:00 PM Monday through Saturday.
- d. Employee(s) – There shall be no non-resident employees for the home business.
- e. Customers – There shall be no more than two customers on the subject site per day and there shall be no more than one customer on the Property at one time. All customers shall be seen by "Appointment Only" and the appointment times shall be staggered to ensure that there is no more than one customer vehicle arriving or departing from the Property at a time.
- f. Customer Parking – The Applicant shall maintain one designated parking space for customers to utilize during the hours of operation. The customers shall park in the

Applicant's driveway. The customers shall not utilize any of the on-street parking spaces that are located in front of the neighbor's houses. Vehicles shall never block drive aisles or pedestrian walkways.

- g. Compliance – The Applicant shall maintain all County, State, and Federal required permit(s) and licenses required for the sale of firearms. The applicant shall obtain and maintain the required federal firearms license (FFL) and any other applicable licenses or permits that are required from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) prior to the commencement of this proposed firearm sales home business. The applicant shall provide proof of such ATF licenses and/or permits to Zoning Administration staff prior to requesting the zoning approval for the firearm sales home business. The Applicant shall abide by all County, State, and Federal laws, codes, ordinances, requirements, and regulations regarding the purchase, possession, carrying, use, storage, and disposition/sale of firearms.

2. Community Design

- a. Signs – No related signage shall be allowed on the outside of the home or on the Property at any time.
- b. Exterior – The exterior of the residential dwelling shall not indicate that the residence is also being utilized as a firearm sales home business.
- c. Outdoor Storage – Outdoor storage of any equipment or materials associated with this firearm sales home business use shall be prohibited.

MOTION: ANGRY

November 17, 2020

SECOND: CANDLAND

Regular Meeting

Res. No. 20-772

RE: DEFER CONSIDERATION OF ZONING TEXT AMENDMENT #DPA2021-00005, CATTLE, TO THE BOARD OF COUNTY SUPERVISORS MEETING ON TUESDAY, DECEMBER 1, 2020, AT 2:00 P.M.

ACTION: APPROVED

WHEREAS, in accordance with Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public; and

WHEREAS, the Board of County Supervisors initiated a zoning text amendment to amend Article III, Part 300, of the Prince William County Zoning Ordinance, to allow greater flexibility in allowing cattle as an accessory use to a residential principal use in the A-1, Agricultural, zoned district; and

WHEREAS, on October 7, 2020, the proposed Zoning Text Amendment was presented to the Planning Commission for discussion during a Work Session; and

WHEREAS, the Prince William County Planning Commission held a public hearing on the Zoning Text Amendment on October 21, 2020, recommending approval as stated in Resolution Number 20-072; and

WHEREAS, the Prince William County Board of County Supervisors duly ordered, advertised, held, and closed a public hearing on November 17, at which time the merits of the above-referenced zoning text amendment were considered; and

WHEREAS, the Board expressed an interest in obtaining additional information regarding the zoning text amendment before taking action on the matter;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby defers consideration of Zoning Text Amendment #DPA2021-00005, Cattle, to the Board of County Supervisors meeting on Tuesday, December 1, 2020, at 2:00 p.m.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board

MOTION: BODDYE
SECOND: BAILEY
RE: ADJOURN MEETING
ACTION: APPROVED

November 17, 2020
Regular Meeting
Res. No. 20-774

WHEREAS, the Prince William Board of County Supervisors has completed all items on the agenda for November 17, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby adjourns the meeting of November 17, 2020, at 12:00 a.m. on November 18, 2020.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____

Andrea P. Madden

Clerk to the Board