



County of Prince Edward
Board of Supervisors
Agenda Summary

Meeting Date: October 13, 2009
Item No.: 10
Department: County Administration
Staff Contact: W.W. Bartlett/Sarah Elam Puckett
Issue: PUBLIC HEARING- Ordinance to Ratify County's 1999 Ordinance to Consider CDA Petitions

Summary: In 1999, the Prince Edward County Board of Supervisors adopted an ordinance enabling the Board to assume the power to consider petitions for the creation of community development authorities. As there have been significant changes in the membership of Board of Supervisors and to the *Code of Virginia* since that time, the Board voted to ratify the 1999 Ordinance, prior to acting on the Petition for a new Community Development Authority that has been filed by the Industrial Development Authority.

The Board authorized a public hearing for the October Board meeting. Following the public hearing, the Board will wish to consider the adoption of the attached ratifying ordinance.

Attachments: Public Hearing Notice
Draft Ratifying Ordinance
1999 County Ordinance

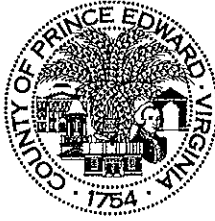
Recommendation: Authorize a public hearing for the October Board meeting to consider the ratifying ordinance.

Motion _____
Second _____

Fore _____
McKay _____
Ward _____

Gilfillan _____
Moore _____
Wiley _____

Jones _____
Simpson _____



Please publish in the Wednesday, September 23, 2009 and Wednesday, September 30, 2009 editions of The Farmville Herald.



**NOTICE OF PUBLIC HEARING
ON PROPOSED ORDINANCE RATIFYING ORDINANCE AUTHORIZING
THE BOARD OF SUPERVISORS
TO CONSIDER PETITIONS TO CREATE COMMUNITY
DEVELOPMENT AUTHORITIES**

Notice is hereby given that the Board of Supervisors of the County of Prince Edward, Virginia will hold a public hearing on a proposed ordinance entitled "AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA RATIFYING AN ORDINANCE ADOPTED FEBRUARY 9, 1999 ELECTING TO ASSUME THE POWER TO CONSIDER PETITIONS FOR THE CREATION OF COMMUNITY DEVELOPMENT AUTHORITIES."

The public hearing, which may be continued or adjourned, will be held at 7:30 p.m. or as soon thereafter as the matter may be heard on Tuesday, October 13, 2009 in the Board of Supervisors' meeting room, Courthouse Annex, 111 South Street, 3rd Floor, Farmville, Virginia. Any person interested in the proposed ordinance may appear and be heard. A copy of the full text of the proposed ordinance is available for public inspection on the County's web site at www.co.prince-edward.va.us or during regular business hours in the County Administrator's office at the above address.

It is the County's intent to comply with the requirements of the Americans with Disabilities Act. Should you need special accommodations, please contact the Prince Edward County Administrator's Office at 434-392-8837, prior to October 9, 2009.

By Order of the Board of Supervisors
W.W. Bartlett, County Administrator

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA
RATIFYING AN ORDINANCE ADOPTED FEBRUARY 9, 1999,
ELECTING TO ASSUME THE POWER TO CONSIDER PETITIONS
FOR THE CREATION OF COMMUNITY DEVELOPMENT AUTHORITIES**

WHEREAS, the Virginia Water and Waste Authorities Act, Chapter 51, Title 15.2, Code of Virginia of 1950, as amended (the "Act") empowers any county, by ordinance, to elect to assume the power to consider petitions for the creation of community development authorities in accordance with the Act; and

WHEREAS, following a public hearing held in accordance with the Act, the Board of Supervisors of the County of Prince Edward, Virginia (the "Board"), on February 9, 1999, adopted an Ordinance (the "1999 Ordinance") electing to assume the power to consider petitions for the creation of community development authorities; and

WHEREAS, the Board proposes to adopt an ordinance ratifying the 1999 Ordinance and has held a public hearing thereon;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA:

1. The Board hereby ratifies the 1999 Ordinance and the 1999 Ordinance shall be effective from the date of its adoption and shall remain in full force and effect.
2. This Ordinance shall become effective upon adoption.

The undersigned Clerk of the Board of Supervisors of the County of Prince Edward, Virginia, certifies that the foregoing constitutes a true, complete and correct copy of an Ordinance adopted at a regular meeting of the Board of Supervisors of the County of Prince Edward, Virginia, held on October 13, 2009.

Clerk, Board of Supervisors, County of
Prince Edward, Virginia

At a regular meeting of the Board of Supervisors of the County of Prince Edward, Virginia, held on the 9th day of February, 1999, the following Board of Supervisors members were recorded as present:

PRESENT: Albert M. Davis, Jr.
 William G. Fore, Jr.
 James C. Moore
 Howard F. Simpson
 Mary M. Stokes
 W. Bidgood Wall, Jr.
 Grace S. Ward
 Hunter R. Watson

On motion by W. Bidgood Wall, Jr., seconded by Grace S. Ward, the attached Ordinance was adopted by the Board of Supervisors by a roll call vote, the votes being recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Albert M. Davis, Jr.	Yes
William G. Fore, Jr.	Yes
James C. Moore	Yes
Howard F. Simpson	Yes
Mary M. Stokes	No
W. Bidgood Wall, Jr.	Yes
Grace S. Ward	Yes
Hunter R. Watson	Abstain

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF PRINCE EDWARD, VIRGINIA
ELECTING TO ASSUME THE POWER TO CONSIDER PETITIONS
FOR THE CREATION OF COMMUNITY DEVELOPMENT
AUTHORITIES**

WHEREAS, the Virginia Water and Waste Authorities Act (the "Act") empowers any county not otherwise authorized by the Act to, by ordinance, elect to assume the power to consider petitions for the creation of community development authorities in accordance with the Act; and

WHEREAS, following a public hearing held in accordance with the Act, the Board of Supervisors of the County of Prince Edward, Virginia has determined that it is in the best interest of the County of Prince Edward, Virginia (the "County") for the County to elect to assume such power to consider petitions for the creation of community development authorities.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA:

1. The County hereby elects to assume the power to consider petitions for the creation of community development authorities in accordance with the Act. Said petitions shall be filed in accordance with the Act and any regulations as established by the Prince Edward County Board of Supervisors.
2. This Ordinance shall become effective upon adoption.

CERTIFIED TRUE COPY