

December 8, 2015

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 8th day of December, 2015; at 7:00 p.m., there were present:

Pattie Cooper-Jones

Calvin L. Gray

Robert M. Jones

Charles W. McKay

Howard F. Simpson

C. Robert Timmons, Jr.

Jerry R. Townsend

Jim R. Wilck

Also present: Wade Bartlett, County Administrator; Sarah Elam Puckett, Assistant County Administrator; Rob Fowler, Planning and Zoning Director; Sharon Lee Carney, Director of Economic Development; Magi Van Eps, Tourism and Visitor Center Coordinator; and Jim Ennis, County Attorney.

Chairman Simpson called the November meeting to order. Reverend Maurice Finney offered the invocation and led the Pledge of Allegiance.

In Re: Public Participation

Kip Lafoon, representative for the Southside Virginia Family YMCA, stated the YMCA is trying to regroup and restructure in order to be self-sustaining. He said one way would be to refinance the \$2.1 million currently owed at a lower interest rate and reviewed details on the amounts. Mr. Lafoon stated the YMCA is a huge success in the area and represents the recreation program for Prince Edward County. He asked the Board of Supervisors to consider endorsing a note with a lender to enable the YMCA to obtain better financing.

Jacob McCann, Southside Electric Cooperative Community Relations Coordinator, introduced himself and encouraged the Board to reach out to him in the event of a concern or question regarding Southside Electric Cooperative.

In Re: Board of Supervisors Comments

Supervisor Gray wished all residents a safe and wonderful holiday season. He then announced he will hold a Community meeting Monday, December 14, 2015, at the Sulphur Springs Church in Prospect, for citizens of Prospect but is open to all Prince Edward County citizens.

Supervisor McKay stated he is retiring from the Board of Supervisors and wished all a Merry Christmas and Happy New Year.

Supervisor Timmons thanked Supervisor McKay for his commitment to the Board and welcomed all in attendance to the meeting.

Chairman Simpson thanked Supervisor McKay for all his work over the years; he thanked all for attending the meeting and wished all a Merry Christmas.

Supervisor Cooper-Jones thanked Supervisor McKay for a job well done. She thanked the citizens for attending and wished all a happy and safe holiday season.

Supervisor Townsend thanked Supervisor McKay for the assistance over the last two years in his own transition to the Board, adding he will be truly missed. He then wished all citizens happy holidays.

Supervisor Wilck added his best wishes to Supervisor McKay.

Supervisor Jones congratulated Supervisor McKay and wished all happy holidays.

In Re: Consent Agenda

On motion of Supervisor Gray, seconded by Supervisor Townsend, and carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

the Board accepted the Treasurer's Report for October 2015; the minutes of the meeting held November 17, 2015; Accounts and Claims; Salaries; a 2016 Dance Hall Permit for New Fevers Restaurant and Lounge; a 2016 Dance Hall Permit for The Fishin' Pig; and appropriations as follows:

FY 2016 Budget Amendment						
REV/EXP	FUND	DEPT	OBJECT	DESCRIPTION	DEBIT	CREDIT
3 (Rev)	100	24040	0012	Fire Program Funds		\$ 7,048
4 (Exp)	100	32200	7012	Fire Programs/ATL-Rice	\$ 1,762	
4 (Exp)	100	32200	7013	Fire Programs/ATL-Prospect	\$ 1,762	
4 (Exp)	100	32200	7014	Fire Programs/ATL-Darlington	\$ 1,762	
4 (Exp)	100	32200	7015	Fire Programs/ATL-Hampden	\$ 1,762	

Prince Edward Treasurer's Report - October 2015

<u>Name of Bank</u>	<u>Bank Balance</u>	<u>Deposit in Transit / Adj.</u>	<u>Outstanding Checks</u>	<u>Available Balance</u>
Benchmark Pooled Fund Account	5,914,443.63			5,914,443.63
Wells Fargo Social Services	136,825.16			136,825.16
Bank of America School Fund	69,863.63			69,863.63
Bank of America Food Service	4,425.06			4,425.06
Benchmark School Fund	300,475.62			300,475.62
Benchmark Food Service	365,416.45			365,416.45
TOTAL				<u>6,791,449.55</u>
 Certificates of Deposit				
Benchmark				558,004.20
Citizens Bank Recreation				16,518.43
Citizens Bank Underground Storage				20,260.84
Farmers Bank				206,189.44
TOTAL				<u>800,972.91</u>
 GRAND TOTAL				<u><u>7,592,422.46</u></u>

MOTOR VEHICLE LICENSE TAXES

Town of Farmville	Decal reimbursement	68,903.52
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BOARD OF SUPERVISORS

Farmville Newsmedia	Advertising	138.38
VACORP	Liability insurance	300.00
Howard F. Simpson	Mileage	480.70
Business Card	Soft drinks	22.96

COUNTY ADMINISTRATOR

Business Card	Ship Christmas ornament	29.46	
	Stamped envelopes	2,802.90	
	Attendance cards	68.70	
	Notary	45.00	2,946.06
Key Office Supply	Office supplies	679.46	
	Envelopes	34.78	714.24

COMMISSIONER OF REVENUE

Key Office Supply	Copier service contract	585.00	
	Data binders	37.56	138.48
Farmville Newsmedia	Land use ad		215.25
Treasurer of Virginia	Online service		76.86
NADA Used Car Guide	Used car guide		17.50
BAI Municipal Software	PP Late File program		1,200.00

TREASURER

Key Office Supply	Typewriter service contract	130.00	
	Credit	-129.98	
	Flash drives	48.37	
	Copy paper	73.98	
	Greenbar paper	341.70	464.07
Benchmark Community Bank	Payflow/Paypal		0.90
Treasurer of Virginia	Online service		76.86
H Becker	Check signer renewal		539.50
STEPS, Inc.	Shredding service		35.00

INFORMATION TECHNOLOGY

ComputerPlus Sales / Service	Printer service contract		79.00
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ELECTORAL BOARD AND OFFICIALS

Patricia Adams	Official	90.00	
	Training	15.00	105.00
Edward L. Bailey	Official	90.00	
	Training	15.00	105.00
Karel K. Bailey	Official	90.00	
	Training	15.00	105.00
Barbara Barnes	Official	100.00	
	Training	25.00	125.00
Robert L. Barnes	Official	90.00	
	Training	25.00	115.00
Mary L. Baylis	Official		100.00
Wendell Brown	Official		90.00
Elizabeth Calhoun	Official	90.00	
	Training	15.00	105.00
Ralph A. Crawley	Official	90.00	
	Training	25.00	115.00
Rachael E. Dove	Official		90.00
Sheila Eames	Official		45.00
Lynn H. East	Official	100.00	

	Training	25.00	125.00
Sarah Edmondson	Official	100.00	
	Training	25.00	125.00
Peggy Emert	Official	90.00	
	Training	15.00	105.00
Vincent Eanes	Official		90.00
Dean Farmer, Jr.	Setup 701		50.00
Cindy Favret	Official	90.00	
	Training	15.00	105.00
Nancy D. Fawcett	Official	100.00	
	Training	25.00	125.00
Maria Fernandez	Official	90.00	
	Training	15.00	105.00
Moses Ford	Official		45.00
Jean G. Flwlkes	Official		90.00
Yolanda Gladden	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Mileage	5.00	155.00
Hayley E. Grey	Official	90.00	
	Training	15.00	105.00
Jennifer J. Halladay	Official		90.00
Jane Newman Hines	Official		90.00
Esther W. Hollingsworth	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	5.00	175.00
Brian Hulsizer	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	5.00	175.00
Frances D. Jasper	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	15.00	185.00
Donald B. Kellum	Official		90.00
Peggy Kelsey	Official		90.00
Cindy H. Koether	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	5.00	175.00
James Junior Lee	Official		90.00
Jean W. Lee	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Mileage	15.00	165.00

Ida M. Marcellin	Official	90.00	
	Training	15.00	105.00
April McBride	Official		90.00
Lora P. McElhenie	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	15.00	185.00
Linda Medlin	Official	90.00	
	Training	15.00	105.00
Nadine Messerschmidt	Official		90.00
Tola Morgan	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	10.00	180.00
Lee J. Owens	Official		90.00
Whitfield Moman Paige	Official		90.00
Nancy Phaup	Official	100.00	
	Training	25.00	125.00
Rebecca L. Randolph	Official	100.00	
	Training	25.00	
	Ballots	20.00	145.00
Mary G. Reed	Official		90.00
Rosalie B. Robertson	Official	100.00	
	Training	25.00	125.00
Henry O. Shelton	Official		90.00
Bertha E. Shepperson	Official	100.00	
	Training	25.00	125.00
Claudia Somers	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	10.00	180.00
J. Scott Simms	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	60.00	
	Mileage	15.00	225.00
Lynn Skakum	Official		90.00
Margaret Stockton	Official	100.00	
	Training	25.00	125.00
Shirley L. Taylor	Official	90.00	
	Training	15.00	105.00
Linda Timmons	Official		90.00
Crystal Glenn Townsend	Official		90.00
Cindy Watson	Official	90.00	
	Training	15.00	105.00
Kasie R. Wright	Official	100.00	
	Training	25.00	125.00

Lucie Zehner	Official	115.00	
	Training	25.00	
	Phone	10.00	
	Ballots	20.00	
	Mileage	15.00	185.00
Unilect Corporation	Repair screens	587.50	
	Ballots	285.00	872.50
	Screen batteries	2,235.00	
	Cable for screens	168.75	3,276.25
Darlington Heights Fire Department	Rent		200.00
Elks Lodge #269	Rent		200.00
Farmville Volunteer Fire Department	Rent		200.00
Hampden-Sydney Fire Department	Rent		200.00
Mt Zion Second Baptist Church	Rent		200.00
Prospect Volunteer Fire Department	Rent		200.00
Mt Pleasant Church	Rent		200.00
Gwendolyn Akers-Booker	Mileage		89.13

REGISTRAR

Lynette Wright	Mileage	29.90	
	Office supplies	21.59	51.49
Key Office Supply	Folders	12.89	
	Ink cartridge / paper	120.25	133.14

SPECIAL MAGISTRATES

Key Office Supply	Water		79.90
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CLERK OF THE CIRCUIT COURT

CenturyLink	Phone		48.47
Anna V. Elzey	Witness		66.00
Tina Bridges	Witness		23.10
Key Office Supply	Copy paper	73.98	
	Toner	154.89	
	Note pads	215.04	
	Paper	17.49	
T&N Printing	Plats		35.12

LAW LIBRARY

AT&T	Phone		42.33
LexisNexis	Monthly subscription		268.00
Matthew Bender & Company, Inc.	VA Forms 2015 Vol 1A		217.10

COMMONWEALTH'S ATTORNEY

Computer Projects of IL	VCIN License & maintenance		173.40
Treasurer of Virginia	Ipad service		131.22
STEPS, Inc.	Shredding service		35.00
Key Office Supply	Planner		14.79

SHERIFF

Medtox Laboratories, Inc.	Drug testing		50.00
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Commtronics of Virginia	Vehicle radio repair	312.46	
	Speaker mic	75.00	387.46
East End Motor Company, Inc.	Flat tire repair	23.00	
	Oil change / rotation	81.92	
	Brake pads / rotors	893.96	
	Inspection	16.00	
	Headlight bulb	25.99	1,040.87
Rockwell Audio	Install light bar	648.99	
	Check siren	69.00	
	Install lights / siren	1,133.99	1,851.98
Business Card	Postage	12.00	
	Meals & lodging	502.86	
	Gas	51.00	
	Vehicle containers	41.83	
	Rifle batteries	17.02	
	Shirts	50.00	
	Vehicle lights	1,093.86	1,768.57
UPS	Shipping		8.10
Treasurer of Virginia	VCIN		52.74
Kinex Networking Solutions	Remote data backup		19.95
CenturyLink	Phone		18.33
US Cellular	Phone		40.81
Charlene Lewis	Mileage		154.56
Larry Franklin	Meal		4.60
Robert Goldman	Meals		92.04
Joseph Sprague	Meals	33.98	
	Gas	23.68	57.66
Sarah Coen	Meals		50.47
Farmville Printing	Envelopes		657.60
Staples Advantage	Ink cartridges	594.10	
	Office supplies / ink	785.40	1,379.50
Southside Electric Cooperative	Virso community site		10.07
Fisher Auto Parts, Inc.	Wipers		36.81
Moore Medical, LLC	Gloves		570.09
Southern Police Equipment Company	Shoes		64.00
Key Office Supply	Key cabinet		219.99
Kustom Signals, Inc.	Windshield mounts		74.00

FARMVILLE VOLUNTEER FIRE DEPARTMENT

Farmville Volunteer Fire Department	Financial statement	1,375.00	
	Insurance	4,667.00	
	Workers comp	2,661.00	8,703.00
Xerox Business Services	Software renewal		1,185.00
NAFECO, Inc.	Ansul foam		444.85
Taylor-Forbes Equipment Company	Oil tank cap		9.94

RICE VOLUNTEER FIRE DEPARTMENT

John Deere Financial	LP fuel		131.69
Stallion Air Incorporated	Compressor maintenance		550.00
Dominion Virginia Power	Electric service		292.41

PROSPECT VOLUNTEER FIRE DEPARTMENT

Prince Edward County Public Schools	Diesel		60.60
Prince Edward County Treasurer	Gas		81.74

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

Cyrus Pest Control Company	Exterminating service		45.00
Darlington Heights Volunteer Fire Dept.	Clean / strip / wax floors		760.00
East End Motor Company, Inc.	Inspection / oil change	89.15	
	Inspection / tire tube	29.99	
	Oil change	76.30	195.44
Southside Electric Cooperative	Electric service		368.92
Travelers - RMD	Workers comp		4,202.00

HAMPDEN-SYDNEY VOLUNTEER FIRE DEPARTMENT

Arc3 Gases	Cylinder rental		121.80
Diversified Inspections / ITL	Equipment maintenance		1,510.62
Farmville Wholesale Electric	Building maintenance		15.22
Fisher Auto Parts, Inc.	Engine mount	8.24	
	Hood lift support	47.96	
	Tire valve stem	2.23	58.43
Goodman Specialized Vehicles	Vehicle repairs		727.50
Hampden-Sydney College	Diesel	324.82	
	Postage	10.47	335.29
Keplinger Repair Service, Inc.	1200 Charger pump	1,036.79	
	Valve controller	247.98	1,284.77
CenturyLink	Phone		117.49
Trumbull Software Associates	Annual subscription		300.00
Dominion Virginia Power	Electric service		283.96

PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone		84.41
C. W. Williams	Rope pack		105.13
Commtronics of Virginia	Battery pack		21.50
Farmville Wholesale Electric	Building maintenance		91.74
Pamplin Exxon	Inspection	16.00	
	Fuel	148.74	164.74
Verizon	Phone		207.40
Vest's Sales & Service, Inc.	Helmet	215.13	
	Control step / gear prt	536.00	
	Control head	2,145.32	
Dominion Virginia Power	Foam	1,280.00	4,176.45
	Electric service		379.35

MEHERRIN VOLUNTEER FIRE DEPARTMENT

C. W. Williams	Hose		1,367.04
Parker Oil Company, Inc.	Propane	177.24	
	Diesel	570.12	747.36
Verizon	Phone		187.36
Dominion Virginia Power	Electric service		307.02

<u>EMERGENCY SERVICES</u>			
Timmons Group	GIS Annual maintenance	1,500.00	
	E-911 Addressing	315.00	1,815.00
Korman Signs	Signs & hardware		409.70
<u>BUILDING OFFICIAL</u>			
Buckingham County Treasurer	Mileage		11.55
<u>ANIMAL CONTROL</u>			
Ayers Building & Supply Company	Paint & bolts		8.03
Farmville Wholesale Electric	Bulbs / aluminum hubs		112.51
Lowe's	Plug		2.64
Rod & Staff, LLC	Flat repair		15.00
CenturyLink	Phone		98.84
M&W Printers, Inc.	Dog tags		549.95
Vortech Pharmaceuticals	Fatal Plus solution		513.84
<u>REFUSE DISPOSAL</u>			
Business Card	License renewal		50.00
Resource International	Groundwater monitoring	2,880.00	
	Misc work tasks	1,899.55	
	Storm water compliance	795.85	5,575.40
Farmville Wholesale Electric	Bulb / fixture / photoeye		92.68
Moore Scale Service-Western VA	Serviced scales		200.00
NAPA of Farmville	Exhaust fluid	94.86	
	Oil	32.48	127.34
Republic Services #974	Trash collection		406.91
Wright's Excavating, LLC	Landfill operation		48,093.75
Emanuel Tire of Virginia	Tire recycling	1,973.10	
	Professional service	480.00	2,453.10
STEPS, Inc.	Recycling fee		1,591.04
Synergy Recycling, LLC	Electronic recycling		1,703.86
Southside Electric Cooperative	Virso site		107.93
Dominion Virginia Power	Rice site		76.82
AT&T	Phone		42.34
CenturyLink	Phone		186.64
O. O. Stiff, Inc.	Monthly service		702.50
Prince Edward County Public Schools	Diesel		1,056.46
NAPA of Farmville	Credit		-15.50
<u>GENERAL PROPERTIES</u>			
Air Conditioning Equipment	HVAC Annual contract		3,520.00
Dodson Brothers Exterminating	Pest control - Cannery	38.00	
	Pest control - Worsham	38.00	
	Pest control - SCOPE	38.00	
	Pest control - Courthouse	85.00	
	Pest control - Visitor's Center	38.00	237.00
Dominion Virginia Power	SCOPE Building	103.30	
	Courthouse	11,417.99	

	Lights at Rice	111.01	
	Ag building	1,030.22	12,662.52
Town of Farmville	Water & sewer		154.97
AT&T	Phone		42.33
CenturyLink	Phone		134.97
O. O. Stiff, Inc.	Monthly service		100.00
Aramark	Janitorial supplies		892.20
Diamond Paper Company	Toilet tissue	47.16	
	Trash bags / towels / gloves	1,377.58	1,424.74
Lowe's	Lumber / sheetrock / screws	122.76	
	Batteries	10.42	
	Lumber	125.15	
	Clamp / bracket / saw blade	88.20	
	Casing / boards / nails	60.69	
	Casing / boards	41.74	
	Organizer / tools / glue	72.18	
	Gloves	15.18	
	Countertop / bolts	220.36	
	Plumbing supplies	9.68	
	Refrig / knife / WD40	97.57	
	Caulk	7.92	
	Cable	20.87	892.72
Luck Stone Corporation	Stone		197.16
Cintas Corporation #524	Uniform rental		448.50
Sherwin Williams Company	Paint	13.73	
	Spackle	3.00	
	Caulk	77.39	94.12
Prince Edward County Public Schools	Diesel		125.24
NAPA of Farmville	Oil & filter	49.37	
	Windshield wash fluid	2.39	51.76
Taylor-Forbes Equipment Company	Air filter		14.57
	<u>CANNERY</u>		
Virginia Food Works	Contract payment		2,916.67
Carol Van Goor	Canning services		295.50
CenturyLink	Phone		239.85

COMPREHENSIVE SERVICES ACT

Bear Creek Academy	Professional service		3,630.00
Blue Ridge Autism & Achievement Center	Professional service		5,800.00
Rescare / Braley & Thompson	Professional service		6,231.00
Center for Pediatric Therapies	Professional service		960.00
Centra Health	Professional service		33,330.00
Kevin & Madeline Deliee	Foster care		586.00
Elk Hill	Professional service		4,760.00
Family & Community Support	Professional service		1,550.00
Family Preservation Services	Professional service		530.00
Grafton School, Inc.	Professional service		31,277.25
Ifetayo Imanchinello	Foster care		2,085.00
Ashley Long	Foster care		4,222.00

Northstar Academy, Inc.	Professional service		3,318.00
Thomas Brothers Software	Software	1,500.00	
	Software installation	500.00	2,000.00

SUPERVISION OF PARKS & RECREATION

Prince Edward -			
Farmville Youth Association	15-16 Support		24,000.00
Southside Virginia Family YMCA	15-16 Support		25,000.00

PLANNING

Donald B. Gilliam	Commission meeting	100.00	
	Mileage	23.00	123.00
Preston Hunt	Commission meeting	100.00	
	Mileage	23.00	123.00
Timothy Mark Jenkins	Commission meeting	100.00	
	Mileage	12.65	112.65
Robert M. Jones	Commission meeting	100.00	
	Mileage	5.75	105.75
Clifford Jack Leatherwood	Commission meeting		100.00
Robert Christopher Mason	Commission meeting	100.00	
	Mileage	10.35	110.35
John W. Peery, Jr.	Commission meeting	100.00	
	Mileage	1.72	101.72
John F. Townsend, III	Commission meeting	100.00	
	Mileage	8.62	108.62
Brett Von Cannon Watson	Commission meeting		100.00
Business Card	Postage		43.75

ECONOMIC DEVELOPMENT

Key Office Supply	Mouse	14.95	
	Labels	26.99	41.94

TOURISM

Town of Farmville	Water & sewer		48.42
Business Card	UPS		12.71
CenturyLink	Phone		373.88
Key Office Supply	Toner		479.92

FLOOD & EROSION CONTROL

Stormwater Solutions & Services, LLC	Stormwater plan review		3,386.75
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COOPERATIVE EXTENSION OFFICE

Treasurer, Virginia Tech	Local support		15,069.82
CenturyLink	Phone		107.62

GENERAL EXPENSE

Petroleum Traders Corporation	Gas		6,528.08
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FORFEITED DRUG ASSETS

Atlantic Tactical	4 shotguns		1,500.00
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	<u>WATER FUND</u>		
Town of Farmville	Water		40.44
	<u>SEWER FUND</u>		
Dominion Virginia Power	Sewer pump		35.98
	<u>RETIREMENT BENEFIT FUND</u>		
Vicki K. Johns	Retiree benefit		1,129.00
	<u>PIEDMONT COURT SERVICES FUND</u>		
Connie Stimpson	Postage	6.96	
	Mileage	20.12	
	Meals	57.52	84.60
CenturyLink	Fax line		65.90
Jessica Harding	Mileage	162.15	
	Meals	37.51	
Renee T. Maxey	Newspapers	1.00	200.66
	Mileage	47.72	
	Meals	87.99	135.71
Ashley Nash	Mileage		132.24
Megan Newman	Mileage		391.57
Jeanene Rice	Mileage		113.83
Andy Mays	Meals - VCCJA Conference		61.50
Phelps Locksmith Service	Office keys		131.00
	<u>PCS SUPERVISION FEES EXPENDITURES</u>		
SRP Corporation, LLC	Rent		2,500.00
	<u>PCS DRUG TESTING FEES</u>		
Alere Toxicology Services, Inc.	Drug testing fees		43.96

In Re: Introduction of New Virginia State Park Managers

Mr. Eric Houghland, District Four Manager for the Central Virginia District of Virginia State Parks, introduced the two new state park managers for Prince Edward County; Mr. Phil Morgan, Park Manager at Twin Lakes State Park, and Mr. Daniel Jordan, Park Manager for High Bridge Trail State Park.

Mr. Morgan gave a brief review of attendance, revenue, and plans for various Twin Lakes State Park improvements.

Mr. Jordan reviewed attendance, programs, and upcoming plans for the High Bridge Trail State Park.

In Re: Highway Matters

Mr. Troy Walker, VDOT, presented an update on the request from the Board regarding installation of a guardrail at Morris Creek Road. He stated due to the slope, they determined it would be best to place guardrail on both sides. Prince Edward County has been allocated funds that can be used for various projects for critical safety areas. Mr. Walker stated installation is approximately \$18,000; to apply for this work to be done, the Board needs to be in agreement with VDOT; VDOT has \$44,984 to perform safety and operational work in Prince Edward County. The use of the funds requires the concurrence of both VDOT (the RA) and the County and does not require a formal resolution from the Board.

Following some discussion, Supervisor Timmons made a motion, seconded by Supervisor Cooper-Jones, to approve the guardrail project at Morris Creek Road to be an appropriate use of funds; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

Supervisor Timmons questioned the use of the remaining funds. Mr. Walker stated the funds remain “in the pot” and roll over to the next year; this fiscal year ends June 2016.

Supervisor Townsend reported a 15-foot drop off along Route 630 and requested guardrails be placed along that area.

Supervisor Gray stated the projects must be used to rectify higher-safety priorities.

Supervisor Simpson stated he has requested guardrails along a section of Route 15 several times; discussion followed. Mr. Walker stated there is a recall on a type of guardrail and that type is being replaced. On Route 15, the area in question would require four feet of fill behind the guardrail posts and the cost would exceed available funding.

Mr. Walker then announced work on the Rural Rustic project is completed, and Route 725, Watson Boulevard, is completed.

Supervisor Townsend reported Route 757, Route 633, and Route 737 need trimming; he then asked about the status of the trimming machinery. Mrs. Sarah Elam Puckett, Assistant County Administrator, requested a schedule of how the cutting machinery will be moved around the districts within the county, to allow the Board members to report to their constituents.

Supervisor Jones requested a study at the east- and west-bound ramps off Route 460 onto Route 15, stating the traffic does not allow a larger truck to cross over to the opposite lanes unless it blocks the highway. He asked that a stop light be considered.

Chairman Simpson questioned regulations on blinking stop signs; he said it had previously been reported the flashing lights cause seizures. Discussion followed.

In Re: Presentations

Chairman Simpson presented a plaque to Mr. James R. Ennis for his service as Commonwealth Attorney for the County of Prince Edward, Virginia, from October 1, 1991 to December 31, 2015.

Supervisor Cooper-Jones presented a plaque to Charles W. McKay for his service as Supervisor, District 401 – Hampden, for the County of Prince Edward, Virginia, from January 1, 2000 to December 31, 2015.

In Re: Public Hearing – Special Use Permit-SBA Communications Corporation

Chairman Simpson announced that this was the date and time scheduled for a public hearing on a request by SBA Communications Corporation to construct a wireless communications tower (195' in height) on a parcel owned by Robert Biggers, Sr., identified as Tax Map Parcel 103-A-27, located at 13745 Farmville Road. Notice of this hearing was advertised according to law in the Friday, November 27, 2015 and Friday, December 4, 2015 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Rob Fowler, Planning & Community Development Director, stated the County received a special use permit application for the construction of an unmanned wireless telecommunications tower and related facilities on Tax Parcel 103-A-27 (13745 Farmville Road), owned by Robert Biggers, Sr. The

tower will be 195' in height plus a 4' lighting rod. The lease area dimensions will be 100' X 100' and the fenced compound will be approximately 80' X 80'.

SBA Communications Corporation will provide the County co-location opportunities without compensation for emergency services equipment. There are no existing towers or structures in the area that can accommodate the proposed antenna which will improve service in the area. The property is presently zoned A-1, Agricultural Conservation, and this zoning classification permits towers with related unmanned equipment buildings by Special Use Permit.

The Planning Commission conducted a public hearing on November 18, 2015, to consider the request from SBA Communications Corporation for the construction of an unmanned wireless telecommunications tower and related facilities located on Tax Parcel 103-A-27, owned by Robert Biggers, Sr. There was no opposition to the request. Following the Public Hearing, the Planning Commission made a motion to approve the request and recommend the Board of Supervisors hold a public hearing and approve as submitted.

Chairman Simpson opened the public hearing.

Fred Womble, SBA Communications Corporation, stated there is space for three to four co-locators; Verizon will be the initial company to lease space. He said SBA Communications owns approximately 10,000 towers with an international audience.

There being no one further wishing to speak, Chairman Simpson closed the public hearing.

Supervisor McKay made a motion, seconded by Supervisor Wilck, to approve the Special Use Permit application for the construction of an unmanned wireless telecommunications tower and related facilities on Tax Parcel 103-A-27 (13745 Farmville Road) as presented; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

In Re: Public Hearing: Special Use Permit-Dominion Power

Chairman Simpson announced that this was the date and time scheduled for a public hearing on a request by Dominion Virginia Power to expand an existing electrical substation (Utility Service) on a parcel owned by George and Penny Welch, identified as Tax Map Parcel 043-A-33, located at 115 Merriman Shop Road. Notice of this hearing was advertised according to law in the Friday, November 27, 2015 and Friday, December 4, 2015 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Fowler stated the County received a Special Use Permit application from Dominion Virginia Power to permit the expansion of an existing legal nonconforming electrical substation which will encompass approximately 4.02 acres of Tax Map Parcel 043-A-33, located at 115 Merriman Shop Road, Pamplin, Virginia, and owned by George and Penny Welch.

The existing perimeter fence will be extended around the proposed addition. Additional details regarding the layout and type of equipment that is proposed to be added followed. The proposed expansion will increase and improve energy reliability in the service area.

The Planning Commission conducted a public hearing on November 18, 2015, to consider the request from Dominion Virginia Power. No one spoke in opposition. The Planning Commission unanimously recommends approval of the Special Use Permit to the Board of Supervisors.

Chairman Simpson opened the public hearing.

Dan Doody, Project Manager, was present to answer any questions.

There being no one wishing to speak, Chairman Simpson closed the public hearing.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Gray, to approve the Special Use Permit application from Dominion Virginia Power to permit the expansion of an existing legal nonconforming electrical substation which will encompass approximately 4.02 acres of Tax Map Parcel 043-A-33, located at 115 Merriman Shop Road, Pamplin, Virginia; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

In Re: Public Hearing: Amendments to the County Animal Control Ordinance

Chairman Simpson announced that this was the date and time scheduled for a public hearing on proposed amendments to the County's Animal Control Ordinance. Notice of this hearing was advertised according to law in the Friday, November 27, 2015 and Friday, December 4, 2015 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mrs. Sarah Elam Puckett, Assistant County Administrator, stated former Deputy County Attorney Morgan Greer reviewed the County's Animal Control Ordinance and proposed a number of amendments to bring it into agreement with the *Code of Virginia*. The proposed amendments also include the deletion of the section enabling the coyote bounty, as discussed by the Board.

Chairman Simpson opened the public hearing.

Cornell Walker, Prospect District, asked for clarification regarding the deletion of Section 10.21 from the County's Animal Control Ordinance, to make sure the hunting of coyotes is still allowed. Mr. Bartlett stated the hunting is permitted according to the Game & Inland Fisheries laws; it is just that Prince Edward County will no longer fund a bounty.

Mr. Walker stated the coyotes have bred with wolves and have become a more aggressive hunter; a neighbor has lost several calves to coyotes. Mr. Walker added they have been seen along the High Bridge Trail, and said with the reduction of forested land in the county, people need to be aware as it is a safety issue.

There being no one further wishing to speak, Chairman Simpson closed the public hearing.

Supervisor Timmons made a motion, seconded by Supervisor Cooper-Jones, to approve the proposed amendments of the County Animal Control Ordinance; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

Chapter 10 ANIMALS

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**Article IV. Wild or Exotic Animals.
REPEALED August 14, 2007**

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ARTICLE I. IN GENERAL

Sec.10-1. Adoption of state comprehensive animal laws.

The provisions of *Code of Virginia* of 1950, §3.2-6500 et seq., are adopted and made a part of this chapter as fully as though set forth in this section.

Sec.10-2. Definitions.

For the purpose of this chapter the following words and phrases shall have the following meanings unless otherwise defined within this chapter. Words and phrases not defined herein, which are defined in section 3.2-6500 of the *Code of Virginia* shall have the meanings ascribed to them by that section:

Animal Control Officer means a person appointed as the animal control officer or a deputy animal control officer pursuant to Virginia law (§ 3.2-6555) to enforce the *Virginia Comprehensive Animal Laws*, this Chapter, and all laws for the protection of domestic animals.

Companion Animal means any domestic dog, domestic cat, non-human primate, guinea pig, hamster, rabbit not raised for human food or fiber, or other animal not prohibited, kept for pleasure rather than utility.

Livestock includes all domestic or domesticated: bovine animals; equine animals; ovine animals; porcine animals; cervidae animals; capradae animals; animals of the genus Lama; ratites; fish or shellfish in aquaculture facilities as defined by state law (§ 3.2-2600); enclosed domesticated rabbits or hares raised for human food or fiber; or any other individual animal specifically raised for food or fiber, except companion animals.

Wild or Exotic Animal means any raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx or any other warm-blooded animal, poisonous snake or tarantula which can normally be found in the wild state or any other member of crocodylian, including but not limited to alligators, crocodiles, caimans

and gavials. Ferrets, nonpoisonous snakes, rabbits and laboratory rats which have been bred in captivity and which never have known the wild shall be excluded from this definition.

Sec.10-3 Penalties

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 4 misdemeanor.

DIVISION 1. CONTAINMENT OF LIVESTOCK

Sec. 10-10. Purposes; legislative authority.

(a) The purpose of this division is to provide for the containment of livestock in the county and to prescribe the penalties for its violation.

(b) This division is adopted under the provisions of Code of Virginia, § 55-310, et. seq.

Sec. 10-11. Lawful fence.

- The boundary line of each lot or tract of land or any stream in the county shall be a lawful fence as to any livestock domesticated by man.

- It shall be unlawful for any person who is the owner or manager of any livestock domesticated by man to permit any such livestock, as to which the boundaries of lots or tracts of land have been constituted a legal fence, to run at large beyond the limits of his own lands within the county; and such animal shall be deemed to be running at large while roaming or running off the property, whether owned or rented, of its owner or manager, and not under their owner's or manager's immediate control.

- Any such owner or manager, after having been notified by an officer of the law that such animal is running at large, permits such animal to continue to run at large, shall be deemed to have violated this section and shall be guilty of a Class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.2-6587, 18.2-403.1, 18.403.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.

DIVISION 2. MISCELLANEOUS ANIMAL REGULATIONS

Sec. 10-20. Disposal of companion animals.

- The owner of any companion animal which has died from disease or other cause shall forthwith cremate or bury or sanitarly dispose of the companion animal.

- If after notice any owner fails to comply with this section, the animal control officer or other officer cremate or bury or sanitarly dispose of the companion animal; and may recover on behalf of the county from the owner the cost of this service as provided in § 3.2-6554 of the Code of Virginia.

~~**Sec. 10-21. Killing of coyotes permitted; bounty established; procedures for claims.—(REPEALED December 8, 2015)**~~

ARTICLE II. ANIMAL CONTROL OFFICERS

Sec. 10-30. Position created.

The position of county animal control officer is hereby created, as provided for in the *Code of Virginia* §3.2-6555. The animal control officer shall be appointed by the Board of Supervisors.

The Board of Supervisors may appoint one or more deputy animal control officers to assist the animal control officer in the performance of their duties.

The animal control officer and their deputies shall discharge the duties provided for in *Code of Virginia* § 3.2-6500, et seq., and such other duties as are provided in this chapter or by the board of supervisors. The animal control officer shall be paid from the dog operating fund such compensation as the board of supervisors by resolution may determine such compensation to be paid monthly.

The animal control officer and their deputy animal control officers shall complete all training as required by §3.2-6556 of the *Code of Virginia*, within the time prescribed.

ARTICLE III. DOGS

DIVISION 1. GENERALLY

Sec. 10-40. Disposal of dead dogs.

The owner of any dog which has died from disease or other cause shall forthwith cremate or bury and dispose of the dog. If after notice any owner fails to do so, the animal control officer or other officer shall bury or cremate the dog; and he may recover on behalf of the county from the owner the cost of his service as provided in § 3.2-6554 of the Code of Virginia.

Sec. 10-41. Unlawful acts.

The following shall be deemed unlawful acts the violation of which shall be a Class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.2-6587, 18.2-403.1, 18.2-403.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section:

- Diseased dogs. For the owner of any dog with a contagious or infectious disease to permit such dog to stray from his premises if such disease is known to the owner. § 3.2-6587(A)(6)
- Female dog in season. For the owner of any female dog to permit such dog to stray from his premises while such dog is known to such owner to be in season.
- Removing collar and tag. For any person except the owner or custodian to remove a legally acquired license tag from a dog without the permission of the owner or custodian. § 3.2-6587(A)(8)
- Concealing a dog. For any person to conceal or harbor any dog for which the license tax has not been paid or to conceal any dog which has been found to be vicious or dangerous to prevent the same from being destroyed. § 3.2-6587(A)(7)

DIVISION 2. LICENSE TAX

Sec. 10-50. Unlicensed dogs prohibited.

It shall be unlawful for any person to own a dog four months or older unless such dog is licensed as required by the provisions of the Code of Virginia, § 3.2-6524, and this division.

Any person violating this section shall be guilty of a class 4 misdemeanor and, upon their first offense of this section and shall be guilty of a Class 3 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.2-6587, 18.2-403.1, 18.2-403.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.

Sec. 10-51. How to obtain license.

Dogs shall be licensed as provided by Code of Virginia, § 3.2-6527, by reference, which section is adopted and made a part of this chapter by reference as fully as though set forth at length in this section.

Sec. 10-52. Amount of license tax.

- Pursuant to the authority of *Code of Virginia*, § 3.2-6528, any person licensing a dog in the County shall pay an annual license tax on the ownership of the dog according to the following schedule:

Male dog . . .	\$10.00	(\$1 to \$10)
Unsexed (castrated) male dog . . .	\$ 5.00	(\$1 to \$10) *can't exceed male
Female dog . . .	\$10.00	(\$1 to \$10)
Unsexed (spayed) female dog . . .	\$ 5.00	(\$1 to \$10) *can't exceed female

- No license tax shall be levied on dogs under four months of age.
- No license tax shall be levied on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for a deaf or hearing-impaired person, or that is trained and serves as a service dog for a mobility-impaired or otherwise disabled person, or any dog under four months of age.

Sec. 10-53. Kennel license tax.

The tax for a licensed kennel shall be according to the following schedule:

10--20 dogs . . .	\$35.00
Over--20 dogs . . .	\$50.00

Sec. 10-54. When license tax payable.

The license tax imposed by this division shall be payable to the Treasurer of the county, as required by *Code of Virginia*, § 3.2-6530, which section is adopted and made a part of this chapter as fully as though set forth at length in this section.

Sec. 10-55. Effect of dog not wearing collar as evidence.

Any dog not wearing a collar bearing a license tag of the proper calendar year shall prima facie be deemed to be unlicensed and a stray; and in any proceedings under this division, the burden of proof of the fact that such dog has been licensed or is otherwise not required to bear a tag at the time shall be on the owner of the dog. § 3.2-6533

Sec. 10-56. What dog license shall consist of.

The county dog license shall consist of a license receipt and a metal tag. The tag shall be stamped or otherwise permanently marked to show the jurisdiction issuing the license, the sex of the dog and the calendar year for which issued, and shall bear a serial number.

Sec. 10-57. Duplicate license tags.

Duplicate license tags shall be obtained by the owner of a dog as provided by Code of Virginia, § 3.2-6532, which section is adopted by reference and made a part of this chapter as if fully set forth in this section.

Sec. 10-58. Displaying receipts; dogs to wear tags.

Dog license receipts shall be displayed and dog license tags shall be worn as required by Code of Virginia, § 3.2-6531 .

Sec. 10-59. Payment of license tax subsequent to summons.

Payment of the license tax subsequent to a summons to appear before the general district court or other court for failure to do so within the time required shall not operate to relieve such owner of the penalties provided.

DIVISION 3. RABIES CONTROL

Sec. 10-60. Vaccination required.

It shall be unlawful for any person to own a dog or domesticated cat, age four months or older unless such dog or cat has been inoculated or vaccinated against rabies by a duly licensed veterinarian or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises. No license tags shall be issued for any dog unless there is presented to the treasurer at the time application for license is made evidence satisfactory to the treasurer, showing that such dog has been inoculated or vaccinated against rabies by a duly licensed veterinarian or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises, and that such inoculation or vaccination remains valid for the time application for license is made. Any person violating this section shall be guilty of a class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.2-6587, 18.2-403.1, 18.2-403.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.

Sec. 10-61. Rabies clinic authorized.

The board of supervisors finding that the number of resident veterinarians is inadequate to meet the need, the county health department shall provide a rabies clinic at least once per year in accordance with the provisions of the Code of Virginia, § 3.2-6521.

Sec. 10-62. Dogs or cats not vaccinated.

Any dog or cat found in the county not vaccinated and identified as described in this subdivision shall be impounded by the animal control officer, and such dogs shall be held for a period of five days. The dog or cat may be returned to its owner upon proof of ownership, vaccination of the dog or cat, and payment of the cost of impounding the dog or cat at usual rates, and payment of any fines assessed under the provisions of this division. At the expiration of the five-day period, any dog or cat not so claimed by its owner may disposed of by giving it into the possession of any person willing to pay the cost of impounding, vaccination and license. If not so disposed of, the dog or cat shall be euthanized in a humane manner by the impounding officer or other designated official.

Sec. 10-63. Quarantine authorized.

When the board of supervisors finds that there is sufficient reason to believe that a rabid animal is at large, the board shall have the power to pass an emergency ordinance requiring all owners of all dogs in the county to keep the dogs confined on their premises, and may further adopt such ordinances, regulations or other measures as it may deem reasonably necessary to prevent the spread within the county of the disease of rabies in accordance with the provisions of the Code of Virginia, § 3.2-6522(4).

DIVISION 4. RUNNING AT LARGE

Sec. 10-70. Prohibited.

- It shall be unlawful for any person to permit any dog, belonging to him or under his control, to run at large in the county at any time. For the purpose of this division, a dog shall be deemed to be running at large while roaming or running or self-hunting off the property of its owner or custodian and not under the owner's or custodians' immediate control. Any person who is the owner or custodian of the dog found running at large shall be deemed to have violated the provisions of this section, if said owner or custodian has previously been notified by any animal control officer or other officer of the law that the dog is or has been running at large.
- This section shall not apply to any person or persons while engaging in the following activities:
 - (1) Lawful hunting with a dog or dogs;
 - (2) Law enforcement or search and rescue activity;
 - (3) A supervised formal obedience training class or show;
 - (4) Formally sanctioned field trials; or
 - (5) Bona fide hunting or field trial dog training.
- A violation of this section shall constitute a Class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.2-6527, 18.2-403.1, 18.2-403.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section; however, if the dog is a dangerous or vicious dog, a violation of this section shall constitute a Class 1 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.2-6527, 18.2-403.1, 18.2-403.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.
- Should the animal control officer or any law enforcement officer have reason to believe that any dog found running at large is dangerous to the health, safety or property of any person, such officer may order the confinement of such animal by delivering a confinement order to the owner or custodian of such animal and any person who thereafter permits such animal to run at large or remain unconfined, unrestricted or not penned up shall be deemed to have violated this section. Should the animal not be confined within six hours after the delivery of the confinement order or should the animal control officer or other officer, after due diligence, be unable to deliver the confinement order to the owner or custodian of such animal, the animal control officer or any other law enforcement officer shall impound any such vicious or destructive dog pursuant to the provision of Code of Virginia § 3.2-6540. Upon the issuance of the confinement order, or the impoundment of such animal to appear in the general district court of the county where the matter shall be heard on criminal warrants and the animal shall remain confined until the final disposition of the court proceeding; However, for the purposes of this section the owner or custodian of such dog shall be conclusively presumed to have known the dog to be vicious or destructive if at any time prior to the running at large of such animal the owner or custodian has received from any person a complaint that the animal is dangerous to the health, safety or property of any person.

Sec. 10-71. Unlicensed dogs prohibited.

The running at large of dogs not duly licensed and displaying tags pursuant to the provisions of this article is prohibited.

Sec. 10-72. Fowl running at large.

“It shall be unlawful to permit any fowl, including all domestic fowl and any game birds raised in captivity, to run at-large in the county at any time.”

DIVISION 5. IMPOUNDMENT

Sec. 10-80. County Public Animal Shelter

For the purposes of this section, "animal" shall not include agricultural animals.

The Board of Supervisors shall maintain or cause to be maintained a public animal shelter which shall be operated in accordance with § 3.2-6546 of the *Code of Virginia*, and any regulations promulgated by the Virginia Board of Agriculture and Consumer Services thereto.

The Board of Supervisors may contract for the establishment of the County Public Animal Shelter with a private group or in conjunction with one or more other local governing bodies, in such instances the group contracted to operate the facility must ensure compliance with all requirements of § 3.2-6546 of the *Code of Virginia*.

The owner of any animal confined at the County Public Animal Shelter, claiming such animal shall be charged with the actual expenses incurred in keeping the animal impounded, as well as any other fees authorized by law.

The owner of any animal impounded under this section shall be assessed an impoundment fee, in addition to the costs incurred in caring for the Animal, as authorized under § 3.2-6546(C) of the *Code of Virginia*, as provided below:

Impoundment Fees:	1 st Time	\$25.00
	2 nd Time	\$50.00
	3 rd Time	\$75.00
	Quarantine (dangerous dogs, rabies)	\$50.00

Impoundment fees for animals shall be paid to the animal control officer prior to the release of said animal, and all fees received by the animal control officer under this section shall be paid over to the county treasurer.

Sec. 10-81. Confinement and disposition of dogs.

It shall be the duty of the animal control officer to confine and dispose of dogs pursuant to provisions of Code of Virginia, § 3.2-6500 et seq.

Sec. 10-83. Unlicensed dogs.

- It shall be the duty of the animal control officer, or any other officer, to capture and impound any companion animal found running at large on which the license tax has not been paid. A reasonable effort will be made to find the owner. After five days, if the owner is not found, the animal shall be declared abandoned. If the owner is known, the animal will be held an additional five days. The provisions of Code of Virginia, § 3.2-6546 shall apply where applicable to the disposition of the dog. Any person, animal control officer or other officer euthanizing a dog under this chapter shall cremate, bury or sanitarily dispose of the dog. Prior to the disposition by euthanasia or otherwise, all of the provisions of Code of Virginia, § 3.2-6500 et seq., shall have been complied with.

- If the animal control officer or other officer exercises his option to deliver such dog to any person in his jurisdiction who will pay the required license tax and cost on such dog, the person accepting delivery of such dog shall, within five days after such delivery, furnish to the animal control officer evidence of the inoculation and licensing of such dog as required by this article; and the failure to provide such evidence shall be a violation of this article and shall constitute a separate offense.

DIVISION 6. DAMAGE BY DOGS

Sec. 10-90. Disposition of funds.

The treasurer shall keep all money collected by him for dog and cat licenses in a separate account as part of the general fund; and such funds shall be used for the purposes designated by Code of Virginia, § 3.2-6534, which section is adopted by reference and made a part of this chapter as if fully set forth in this section.

Sec. 10-91. Compensation for livestock and poultry killed or injured by dogs.

- Pursuant to the Code of Virginia, § 3.2-6553, any person who has any livestock or poultry killed or injured by any dog not his own in the county shall be entitled to receive as compensation the fair market value of such livestock or poultry not to exceed \$400.00 per animal or \$10.00 per fowl, provided that:
 - Within 72 hours of discovery of the death or injury, the claimant gives notice of the incident to the animal control officer.
 - Within 60 days of the discovery of the death or injury, the claimant shall furnish such evidence of the quantity and value of the dead or injured livestock or poultry and the reasons the claimant believes that death or injury was caused by a dog to the board of supervisors.
 - The claimant first has exhausted his legal remedies against the owner, if known, of the dog doing the damage for which compensation under this section is sought. Exhaustion shall mean a judgment against the owner of the dog upon which execution has returned unsatisfied.
- Upon a determination by the board that a claim meets the criteria set forth in this section for compensation, the board shall approve the same and forward the approval to the treasurer. Upon payment under this section, the board shall be surrogated to the extent of compensation paid to the right of action to the owner of the livestock or poultry against the owner of the dog and may enforce such compensation in an appropriate action at law.

Sec. 10-92 Seizure of dogs suspected of killing, injuring or chasing livestock or poultry.

Pursuant to the Code of Virginia, § 3.2-6552, if any person, including the animal control officer, has reason to believe that any dog is killing livestock or poultry, he shall apply to a magistrate of the county, who shall issue a warrant requiring the owner or custodian, if known, to appear before the judge of the general district court at the time and place named therein, at which time evidence shall be heard. If it shall be determined by the court that such dog is a livestock or poultry killer, the dog shall be ordered (i) euthanized immediately by the animal control officer or other officer designated by the judge of the general district court or (ii) removed to another state which does not border on the commonwealth. Any dog ordered removed which is later found in the commonwealth shall be ordered by a court to be euthanized immediately.

DIVISION 6. DANGEROUS OR VICIOUS DOGS

Sec. 10-100. Control of dangerous or vicious dogs; penalties.

- As used in this section:
"Dangerous dog" means a canine or canine crossbreed that has bitten, attacked, or inflicted injury on a person or companion animal that is a dog or cat, or killed a companion animal that is a dog or cat. However, when a dog attacks or bites a companion animal that is a dog or cat, the attacking or biting dog shall not be deemed dangerous (i) if no serious physical injury as determined by a licensed veterinarian has occurred to the dog or cat as a result of the attack or bite, (ii) if both animals are owned by the same person, (iii) if such attack occurs on the property of the attacking or biting dog's owner or custodian, or (iv) for other good cause as determined by the court. No dog shall be found to be a dangerous dog as a result of biting, attacking, or inflicting injury on a dog or cat while engaged with an owner or custodian as part of lawful hunting or participating in an organized, lawful dog handling event. No dog that has bitten, attacked, or inflicted injury on a person shall be found to be a dangerous dog if the court determines, based on the totality of the evidence before it, that the dog is not dangerous or a threat to the community.

"Vicious dog" means a canine or canine crossbreed that has (i) killed a person, (ii) inflicted serious injury to a person, or (iii) continued to exhibit the behavior that resulted in a previous finding by a court or, on or before July 1, 2006, by an animal control officer as authorized by ordinance that it is a dangerous dog, provided that its owner has been given notice of that finding.

- (b) Any law-enforcement officer or animal control officer who has reason to believe that a canine or canine crossbreed within his jurisdiction is a dangerous dog or vicious dog shall apply to a magistrate of the jurisdiction for the issuance of a summons requiring the owner or custodian, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law-enforcement officer successfully makes an application for the issuance of a summons, he shall contact the local animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous or vicious. The animal control officer shall confine the animal until such time as evidence shall be heard and a verdict rendered. If application is made for a dangerous dog and the animal control officer determines that the owner or custodian can confine the animal in a manner that protects the public safety, he may permit the owner or custodian to confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a dangerous dog, the court shall order the animal's owner to comply with the provisions of this section. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of § 3.2-6562 of the Code of Virginia, 1950, as amended. The procedure for appeal and trial shall be the same as provided by law for misdemeanors. Trial by jury shall be as provided in Article 4 (§ 19.2-260 et seq.) of Chapter 15 of Title 19.2 of the Code of Virginia, 1950, as amended. The Commonwealth shall be required to prove its case beyond a reasonable doubt.
- (c) No canine or canine crossbreed shall be found to be a dangerous dog or vicious dog solely because it is a particular breed, nor is the ownership of a particular breed of canine or canine crossbreed prohibited. No animal shall be found to be a dangerous dog or vicious dog if the threat, injury or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal's owner or custodian, (ii) committing, at the time, a willful trespass upon the premises occupied by the animal's owner or custodian, or (iii) provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog that was

engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a dangerous dog or a vicious dog. No animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, shall be found to be a dangerous dog or a vicious dog. § 3.2-6540(C)

- (d) If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this section. § 3.2-6540(D)
- (e) The owner of any animal found to be a dangerous dog shall, within 45 days of such finding, obtain a dangerous dog registration certificate from the local animal control officer or treasurer for a fee of \$150, in addition to other fees that may be authorized by law. The local animal control officer or treasurer shall also provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. By January 31 of each year, until such time as the dangerous dog is deceased, all certificates obtained pursuant to this subsection shall be updated and renewed for a fee of \$85 and in the same manner as the initial certificate was obtained. The animal control officer shall provide a copy of the dangerous dog registration certificate and verification of compliance to the State Veterinarian. § 3.2-6540(E)
- (f) All dangerous dog registration certificates or renewals thereof required to be obtained under this section shall only be issued to persons 18 years of age or older who present satisfactory evidence (i) of the animal's current rabies vaccination, if applicable, (ii) that the animal has been neutered or spayed, and (iii) that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this section shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that (i) their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property and (ii) the animal has been permanently identified by means of a tattoo on the inside thigh or by electronic implantation. All certificates or renewals thereof required to be obtained under this section shall only be issued to persons who present satisfactory evidence that the owner has liability insurance coverage, to the value of at least \$100,000, which covers animal bites. The owner may obtain and maintain a bond in surety, in lieu of liability insurance, to the value of at least \$100,000. § 3.2-6540(F)
- (g) While on the property of its owner, an animal found to be a dangerous dog shall be confined indoors or in a securely enclosed and locked structure of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults, or other animals. The structure shall be designed to provide the animal with shelter from the elements of nature. When off its owner's property, an animal found to be a dangerous dog shall be kept on a leash and muzzled in such a manner as not to cause injury to the animal or interfere with the animal's vision or respiration, but so as to prevent it from biting a person or another animal.
- (h) The owner of any dog found to be dangerous shall register the animal with the Commonwealth of Virginia Dangerous Dog Registry, as established under § 3.2-6542 of the Code of Virginia, 1950, as amended, within 45 days of such a finding by a court of competent jurisdiction.

The owner shall also cause the local animal control officer to be promptly notified of (i) the names, addresses, and telephone numbers of all owners; (ii) all of the means necessary to locate the owner and the dog at any time; (iii) any complaints or incidents of attack by the dog upon any person or cat or dog; (iv) any claims made or lawsuits brought as a result of any

attack; (v) tattoo or chip identification information or both; (vi) proof of insurance or surety bond; and (vii) the death of the dog.

(i) After an animal has been found to be a dangerous dog, the animal's owner shall immediately, upon learning of same, cause the local animal control authority to be notified if the animal (i) is loose or unconfined; or (ii) bites a person or attacks another animal; or (iii) is sold, given away, or dies. Any owner of a dangerous dog who relocates to a new address shall, within 10 days of relocating, provide written notice to the appropriate local animal control authority for the old address from which the animal has moved and the new address to which the animal has been moved.

(j) Any owner or custodian of a canine or canine crossbreed or other animal is guilty of a:

- Class 2 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person;
- Class 1 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury; or
- Class 6 felony if any owner or custodian whose willful act or omission in the care, control, or containment of a canine, canine crossbreed, or other animal is so gross, wanton, and culpable as to show a reckless disregard for human life, and is the proximate cause of such dog or other animal attacking and causing serious bodily injury to any person.

The provisions of this subsection shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.

(k) The owner of any animal that has been found to be a dangerous dog who willfully fails to comply with the requirements of this section is guilty of a Class 1 misdemeanor.

(l) All fees collected pursuant to this section, less the costs incurred by the animal control authority in producing and distributing the certificates and tags required by this section, shall be paid into a special dedicated fund in the treasury of the locality for the purpose of paying the expenses of any training course required under § 3.2-6556 of the Code of Virginia, 1950, as amended.

~~ARTICLE VI. WILD OR EXOTIC ANIMALS~~
(REPEALED August 14, 2007)

ARTICLE V. HYBRID CANINE.

Section 10-120 Definitions.

As used in this article:

- "Hybrid canine" means any animal that is or can be demonstrated to be a hybrid of the domestic dog and any other species of the Canidae family; that at any time has been permitted, registered, licensed, or advertised as such, or that at any time has been

described, represented, or reported as such by its owner to a licensed veterinarian, law-enforcement officer, animal control officer, humane investigator, official of the Department of Health, or State Veterinarian's representative.

- "Adequate confinement" means that, while on the property of its owner and not under the direct supervision and control of the owner or custodian, a hybrid canine shall be confined in a humane manner in a securely enclosed and locked structure of sufficient height and design to (i) prevent the animal's escape; or if the hybrid canine is determined to be a dangerous dog pursuant to § 3.2-6540, the structure shall prevent direct contact with any person or animal not authorized by the owner to be in direct contact with the hybrid canine, and (ii) provide a minimum of 100 square feet of floor space for each adult animal. Tethering of a hybrid canine not under the direct supervision and control of the owner or custodian shall not be considered adequate confinement.
- "Responsible ownership" means the ownership and humane care of a hybrid canine in such a manner as to comply with all laws and ordinances regarding hybrid canines and prevent endangerment by the animal to public health and safety.
- "Owner" means any person who (a) has a right or property in an animal, (b) keeps or harbors an animal, (c) has an animal in his care, or (d) acts as a custodian of an animal.

Section 10-121. Hybrid canine ordinance; penalty.

- It shall be unlawful for the owner or custodian to allow any hybrid canine to run at large in the country during the period of January 1 through December 31 inclusive of any year. For the purpose of this section, a hybrid canine shall be deemed to be running at large while outside of any pen or enclosure as provided in subsection 2 of this section, however, any owner or custodian of a hybrid canine may be allowed to remove a hybrid canine from any pen or enclosure for purposes of transportation to another pen or enclosure or for the purpose of obtaining medical attention. In no event shall any hybrid canine be allowed to be set free on any property within the county whether or not the hybrid canine is under its owner's or custodian's immediate control.
- It shall be unlawful to own or possess a hybrid canine unless such hybrid canine is kept and maintained in a pen or enclosure as follows:
 - The pen or enclosure shall contain at least 200 square feet of space per adult hybrid canine.
 - Any fencing used in the construction of the pen or enclosure shall be at least eight (8) feet in height with an additional overhang of fencing or barbed wire angling a minimum of three (3) feet into the pen or enclosure. Such wire enclosure shall be of such strength as to prevent the escape of any hybrid canine enclosed therein.
 - To prevent digging out along the fence, concrete footers at least one (1) foot wide and six (6) inches deep shall be installed along the perimeter of the pen or enclosure or a wire footing of 12-gauge wire buried six (6) inches in the ground with at least three feet of wire on the inside of the pen or enclosure, bending the remaining one (1) foot of wire up in a 90° angle and connect every six (6) inches to the bottom outside of the pen or enclosure.
 - The pen or enclosure shall provide shelter which affords complete protection from all elements of nature.

- A violation of this ordinance shall be a Class 3 misdemeanor for the first violation and a Class 1 misdemeanor for any second or subsequent offense. Upon a conviction of a second violation of this ordinance, the owner shall surrender the hybrid canine to the animal control officer for euthanasia in accordance with § 3.2-6562 of the Code of Virginia, 1950, as amended.

In Re: Citizen Volunteer Appointments

Chairman Simpson stated terms for the Prince Edward County Planning Commission, Board of Zoning Appeals, Piedmont Regional Jail Board, and Crossroads Community Services Board expire December 31, 2015, as follows. All positions have been advertised in The Farmville Herald.

Position	Term of Office	# of Terms Expiring or Vacancies	Individual Currently Holding the Office	Citizen Volunteer Applicants
Prince Edward County Planning Commission	4 Years January 1, 2016 – December 31, 2019	1 County Position	R. Christopher Mason	R. Christopher Mason Anthony T. Williams
Prince Edward County Board of Zoning Appeals*	5 Years January 1, 2016 – December 31, 2020	1 Position	James H. Davis	James H. Davis Anthony T. Williams
Piedmont Regional Jail Board	4 Years January 1, 2016 – December 31, 2019	1 Position	Jimmy Garnett	Jimmy Garnett
Piedmont Regional Jail Board Alternate	4 Years January 1, 2016 – December 31, 2019	1 Position	W. W. Bartlett	W. W. Bartlett
Crossroads Community Services Board	3 Years January 1, 2016 – December 31, 2018	1 Position	Tonya Blanton	Maurice D. Finney Mattie P. Wiley Carol R. Stiff

**Note: The Board makes a recommendation to the Circuit Court Judge for appointments to the BZA.*

Prince Edward County Planning Commission: A vote was taken on the candidates for the four-year term for the Planning Commission:

<u>Candidate</u>	<u>Vote</u>
R. Christopher Mason	Pattie Cooper-Jones Calvin L. Gray Robert M. Jones Charles W. McKay Howard R. Simpson C. Robert Timmons, Jr. Jerry R. Townsend Jim R. Wilck
Anthony T. Williams	(none)

R. Christopher Mason will be appointed to the Planning Commission for a term of four years beginning January 1, 2016 and ending December 31, 2019.

Prince Edward County Board of Zoning Appeals: A vote was taken on the candidates for the five-year term for the Board of Zoning Appeals:

<u>Candidate</u>	<u>Vote</u>
James H. Davis	Pattie Cooper-Jones Calvin L. Gray Robert M. Jones Charles W. McKay Howard R. Simpson C. Robert Timmons, Jr. Jerry R. Townsend Jim R. Wilck
Anthony T. Williams	(none)

James H. Davis will be recommended to the Circuit Court Judge to serve on the Prince Edward County Board of Zoning Appeals for a term of five years beginning January 1, 2016 and ending December 31, 2020.

Piedmont Regional Jail Board: A vote was taken on the candidates for the four-year term for the Piedmont Regional Jail Board:

<u>Candidate</u>	<u>Vote</u>
Jimmy Garnett	Pattie Cooper-Jones Calvin L. Gray Robert M. Jones Charles W. McKay Howard R. Simpson C. Robert Timmons, Jr. Jerry R. Townsend Jim R. Wilck

Jimmy Garnett will be appointed to the Piedmont Regional Jail Board for a term of four years beginning January 1, 2016 and ending December 31, 2019.

Piedmont Regional Jail Board - Alternate: A vote was taken on the candidates for the four-year term for the Piedmont Regional Jail Board:

<u>Candidate</u>	<u>Vote</u>
W. W. Bartlett	Pattie Cooper-Jones Calvin L. Gray Robert M. Jones Charles W. McKay Howard R. Simpson C. Robert Timmons, Jr. Jerry R. Townsend Jim R. Wilck

W. W. Bartlett will be appointed to the Piedmont Regional Jail Board - Alternate for a term of four years beginning January 1, 2016 and ending December 31, 2019.

Crossroads Community Services Board: A vote was taken on the candidates for the three-year term for the Crossroads Community Services Board:

<u>Candidate</u>	<u>Vote</u>
Maurice D. Finney	Pattie Cooper-Jones Calvin L. Gray Robert M. Jones Charles W. McKay Howard R. Simpson C. Robert Timmons, Jr. Jerry R. Townsend Jim R. Wilck
Mattie P. Wiley	(None)
Carol R. Stiff	(None)

Maurice D. Finney will be appointed to the Crossroads Community Services Board for a term of three years beginning January 1, 2016 and ending December 31, 2018.

In Re: Virginia's Retreat Resolution

Mr. Bartlett stated travel and tourism is a growing segment in the local economy. Virginia's Retreat is the regional marketing consortium promoting tourism in the Counties of Amelia, Appomattox, Brunswick, Buckingham, Charlotte, Dinwiddie, Halifax, Lunenburg, Mecklenburg, Nottoway, Prince Edward and the City of Petersburg since 1993. The organization invests \$4,500 of annual dues per community in various marketing programs with the goal of increasing visitors to the multitude of amenities in our region. The \$54,000 per year of local funds, plus an additional \$26,000 per year from the Virginia Tourism Corporation Marketing Leverage Grant program have been combined to expand marketing, develop a new website and a new travel guide to help further attract visitors to the region and its communities.

Over the last two years, Virginia's Retreat has worked with Southeastern Institute of Research, a marketing research firm out of Richmond, using more than \$100,000 in Tobacco Commission grant funds, along with a \$26,000 grant from Virginia Tourism Corporation, to develop the Strategic Tourism Plan exploring the future growth opportunities for Virginia's Retreat. With ever tightening local budgets, there is little or no expectation that local governing bodies will substantially increase the local funding Virginia's Retreat currently receives. One option, taken from the Strategic Plan, is for Virginia's Retreat to obtain 501(c)3 status, enabling the organization to reach out to foundations, corporations and other potential funding sources to supplement the local funds. In two to three years, with this additional private funding, Virginia's Retreat could reach a threshold to hire an Executive Director, develop a recognizable brand, and create a targeted marketing campaign designed to increase tourism and visitation to the region on a much larger scale than current funding allows. The first step in that process is to inform the local governing bodies of this vision and to obtain approval to initiate the process. As the building blocks are put in place, local governing bodies will be kept apprised of the progress. In this way, Virginia's Retreat hopes to build

not only consensus and support from within, but excitement regarding growing the region into a destination in the Commonwealth of Virginia.

To date, the following seven member communities have adopted this resolution: Amelia, Appomattox, Brunswick, Buckingham, Charlotte, Dinwiddie and Lunenburg. Mecklenburg is scheduled for Board presentation in December; Nottoway will discuss the resolution at a workshop in December.

Supervisor Gray made a motion, seconded by Supervisor Cooper-Jones, to approve the Resolution of Support for Virginia's Retreat to Apply for Nonprofit Designation; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

**Resolution of Support for
Virginia's Retreat to Apply for Nonprofit Designation**

WHEREAS, in 1993 the Counties of Amelia, Appomattox, Buckingham, Cumberland, Dinwiddie, Nottoway, Prince Edward and the City of Petersburg came together to better promote the region's tourism assets. Representatives from each county joined forces with the Virginia Tourism Corporation, the Virginia Division of State Parks and the National Park Service to design a regional approach; and

WHEREAS, from this collaboration came Virginia's Retreat and the development of the Driving Tour of the Route of Lee's Retreat and the Civil Rights in Education Heritage Trail ® ; and

WHEREAS, since 2000, the Counties of Brunswick, Charlotte, Lunenburg, Halifax and Mecklenburg have joined this regional tourism consortium; and

WHEREAS, the Virginia's Retreat region offers travelers meaningful historical attractions and an abundance of outdoor recreation; boasting the nation's first Civil War History Trail, the Driving Tour of the Route of Lee's Retreat and the Wilson-Kautz Raid Civil War Driving Tours, as well as the Civil Rights in Education Heritage Trail ® ; and

WHEREAS, the mission of Virginia's Retreat is to market the recreational, historical, natural and scenic assets of the region; and

WHEREAS, Virginia's Retreat has been successful for the past five years in obtaining matching Virginia Tourism Corporation Leveraging Marketing Grants to obtain a higher return on the investment of the member localities; and

WHEREAS, Virginia's Retreat recently completed a two year strategic planning process funded by the Virginia Tobacco Commission; and

WHEREAS, one of the recommendations of the strategic plan was that Virginia's Retreat should apply for nonprofit designation in order to fundraise, receive corporate donations, apply for more grant opportunities, and to increase to a higher level the return on investment so that Virginia's Retreat can increase the tourism marketing activity for the region;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward supports the request from Virginia's Retreat to apply for nonprofit designation.

In Re: County Administrator's Report

Prince Edward County School's Annual Budget Meeting

Mr. Bartlett advised the Board the Prince Edward County School's Annual Budget meeting has been tentatively scheduled for Tuesday, January 26, 2016, and requested the Board members let him know if they have any scheduling conflicts.

YMCA Loan Agreement

Mr. Bartlett stated that in February 2014, the YMCA requested the County assist in the restructuring of the YMCA's existing debt. This would have required Prince Edward County to either co-sign for a new loan or provide the funds to pay off the existing debt with the YMCA repaying that amount. The Board of Supervisors were reluctant to agree to either of those options; instead, on February 11, 2014, the Board of Supervisors agreed to provide a loan of \$50,000 per year for three years with repayment to begin five years after the first payment, on terms to be determined. The second and third installments of the loan were contingent on a bi-annual review by the YMCA Committee to ascertain if the YMCA had made adequate progress in addressing their cash-flow challenges. The first installment of the loan was paid on February 21, 2014.

On September 8, 2015, the Board of Supervisors voted not to approve the release of additional funds to the YMCA. As of this date, no formal repayment agreement exists concerning the \$50,000 loan. The proposed Promissory Note between Prince Edward County IDA and the YMCA for the repayment of the \$50,000 requires repayment in one installment. That structure was recommended because it allows the YMCA five years from the date of the loan, over three years from this date, to make adjustments and/or preparations to be able to repay the loan.

Supervisor Jones stated the earlier request made by Mr. Lafoon for the Board to co-sign for the YMCA, allowing them to refinance and lower their interest rate, would save the YMCA money.

Supervisor Timmons pointed out for the Board to co-sign for the YMCA, it would put the County at risk if the YMCA would default on the \$2.1 million loan. He added that to co-sign a loan without any authority to make changes in operation would not be wise.

Supervisor Jones stated the County provides \$470,000 to the library and there is no control or authority to change their operation.

Supervisor Timmons stated the County owns the library. Supervisor Wilck added the YMCA is a private organization, a club for members, and for the Board to co-sign the note, the County could end up making payments.

Supervisor McKay made a motion to co-sign for the YMCA.

Supervisor Townsend questioned the interest rate, if it is a fixed interest rate, and plans for the “leftover” funds from the refinancing; he stated there needs to be more conversation about the particulars before a decision could be made.

Supervisor Timmons stated the YMCA currently is running in the negative about \$60,000, using the \$50,000 from the County to offset a debt of \$100,000. He said the imbalance comes to citizens that don't use the YMCA.

Supervisor Gray said that in addition to looking further into the details, the Board needs to determine its attitude towards the YMCA, asking if the Board wants it to exist or does the Board wish to look at the YMCA as a long-term investment to the community as part of the recreation department.

Supervisor Timmons made a motion, seconded by Supervisor Gray, to table this issue until after the 2015 financial audit is available. He stated the issue in front of the Board tonight is for the language for the promissory note; the YMCA owes the County \$50,000, and they need to have some sort of document that memorializes that to assure that the County receives the payment. Discussion followed.

Supervisor McKay withdrew his motion.

Supervisor Jones asked for a meeting to be scheduled to discuss the details.

Supervisor Jones then restated Supervisor Timmons' motion, seconded by Supervisor Wilck, to table the issue until after the 2015 audited figures are available; the motion carried:

Aye: Pattie Cooper-Jones
Calvin L. Gray
Robert M. Jones
Howard F. Simpson
C. Robert Timmons, Jr.
Jerry R. Townsend
Jim R. Wilck

Nay: Charles W. McKay

In Re: VDOT Revenue Sharing

Mr. Bartlett stated the County has \$158,745 of residual VDOT Revenue Sharing Funds. This is a compilation of funds remaining from the Granite Falls Boulevard project and a couple older projects. VDOT intends to de-allocate these funds, which returns them to the VDOT Revenue Sharing Fund, unless the County requests otherwise.

Mr. Bartlett stated the Town of Farmville has requested those funds be transferred to help them pay for paving various streets. The Town would provide the required local matching funds. In discussions with VDOT, they are reviewing the procedure by which this could occur. The Board's approval of this transfer would also be necessary.

Following some discussion, Supervisor Jones made a motion, seconded by Supervisor Cooper-Jones, to approve the transfer of the County's residual allocation of VDOT Revenue Sharing Funds to the Town of Farmville, if permitted by VDOT.

Following some discussion, Chairman Simpson made a motion, seconded by Supervisor Wilck, to approve the transfer of the County's residual allocation of VDOT Revenue Sharing Funds to the Town of Farmville, contingent on the determination by VDOT, and to authorize the County Administrator to sign any and all documentation.

Supervisor Jones withdrew his motion.

Chairman Simson restated his motion, seconded by Supervisor Wilck, to approve the transfer of the County's residual allocation of VDOT Revenue Sharing Funds to the Town of Farmville, contingent on the determination by VDOT, and to authorize the County Administrator to sign any and all documentation; the motion carried:

Aye: Pattie Cooper-Jones
Calvin L. Gray
Robert M. Jones
Charles W. McKay
Howard F. Simpson
C. Robert Timmons, Jr.
Jerry R. Townsend
Jim R. Wilck

Nay: None

In Re: Closed Session

Supervisor Cooper-Jones made a motion, seconded by Supervisor Gray, that the Board convene in Closed Session for discussion and consideration of a specific public office, specifically the County Attorney, pursuant to the exemption provided for in Section 2.2-3711(A)(1) of the *Code of Virginia*; and for consultation with legal counsel pertaining to probable litigation concerning a personnel matter, pursuant to the exemption provided for in Section 2.2-3711(A)(7) of the *Code of Virginia*; and for discussion of the award and the scope of a public contract for facilitator services for the Board's strategic planning process, involving the expenditure of public funds, where the discussion in an open session would adversely affect the negotiating strategy of the public body, pursuant to the exemption provided for in Section 2.2-3711(A)(29) of the *Code of Virginia*; the motion carried:

Aye: Pattie Cooper-Jones
Calvin L. Gray
Robert M. Jones
Charles W. McKay
Howard F. Simpson
C. Robert Timmons, Jr.
Jerry R. Townsend
Jim R. Wilck

Nay: None

The Board returned to regular session by motion of Supervisor Cooper-Jones, seconded by Supervisor Jones, and adopted as follows:

Aye: Pattie Cooper-Jones
Calvin L. Gray
Robert M. Jones
Charles W. McKay
Howard F. Simpson
C. Robert Timmons, Jr.
Jerry R. Townsend
Jim R. Wilck

Nay: None

On motion of Chairman Simpson and seconded by Supervisor Townsend, and carried by the following roll call vote:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

the following Certification of Closed Meeting was adopted in accordance with the Virginia Freedom of Information Act:

WHEREAS, the Prince Edward County Board of Supervisors convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the *Code of Virginia* requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Prince Edward County Board of Supervisors hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Prince Edward County Board of Supervisors.

Supervisor Timmons made a motion, seconded by Supervisor Jones, to approve the contract for the County Attorney, as presented, from January 1, 2016 through June 30, 2017; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

Supervisor Timmons made a motion, seconded by Supervisor Townsend, to accept the proposal from Ms. Tyler St. Clair to be the facilitator for the Board of Supervisors Retreat, scheduled for February 2016, and to authorize the County Attorney to review the contract; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

In Re: Animal Warden's Report

Mr. Ray Foster, Animal Warden, submitted a report for the month of November 2015, which was reviewed and ordered to be filed with the Board papers.

In Re: Building Official's Report

Mr. Coy Leatherwood, Building Inspector, submitted a report for the month of November 2015, which was reviewed and ordered to be filed with the Board papers.

In Re: Cannery

Ms. Patty Gulick, Cannery Manager, submitted a report for November 2015, which was reviewed and ordered to be filed with the Board papers.

In Re: Cannery (Commercial)

Ms. Emily Wells, Commercial Manager, submitted a report for November 2015, which was reviewed and ordered to be filed with the Board papers.

In Re: Prince Edward County Public Schools

Mr. K. David Smith, School Superintendent, submitted a financial summary report for the month of November 2015, which was reviewed and ordered to be filed with the Board papers.

In Re: Tourism and Visitor Center Report

Mrs. Magi Van Eps, Tourism & Visitor Center Coordinator, submitted a report for the month of November 2015, which was reviewed and ordered to be filed with the Board papers.

On motion of Supervisor Wilck, seconded by Supervisor Townsend, and adopted by the following vote:

Aye:	Pattie Cooper-Jones	Nay: None
	Calvin L. Gray	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	C. Robert Timmons, Jr.	
	Jerry R. Townsend	
	Jim R. Wilck	

the meeting was adjourned at 9:14 p.m.