

February 12, 2013

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 12th day of February, 2013; at 7:00 p.m., there were present:

Pattie Cooper-Jones

William G. Fore, Jr.

Robert M. Jones

Charles W. McKay

Howard F. Simpson

Jim R. Wilck

Absent: Howard M. Campbell, Don C. Gantt, Jr.

Also present: Wade Bartlett, County Administrator; Sarah Elam Puckett, Assistant County Administrator; Sharon Lee Carney, Director of Economic Development; Alecia Daves-Johnson, Planner; and Jim Ennis, County Attorney.

Chairman Fore called the meeting to order. Supervisor McKay offered the invocation.

In Re: Public Participation

Chairman Fore read the Public Participation Policy, adopted at the September 2009 meeting:

Public Participation is a time set aside for citizens to share their thoughts, ideas and concerns. An official record is made of each person's contribution tonight and will be directed to the County Administrator for follow-up; any necessary follow-up will be noted and tracked. Follow-up may consist of an immediate response, or planned action by the County Administrator or Board, or by placement on a future Board agenda. Tonight's agenda cannot be changed because the public needs advance knowledge of and the opportunity to review related materials regarding items addressed by the Board. To further assist public information, the Board requests our Administrator, Attorney or county staff immediately correct any factual error that might occur.

Dr. David Smith, Superintendent of the Prince Edward County Schools, read a letter to the Board that had been sent home with the students to their parents regarding an incident of perceived threat at the

high school on February 8, 2013. He assured the Board that all procedures and policies that guide investigations and emergencies were followed; at no time was there a sense that any Prince Edward students or staff members were in danger or at risk of harm.

Sam Campbell, Prospect District, expressed his concern regarding the Fire Program Fund which is operated by the state. A one percent surcharge is added to each fire insurance policy issued in the county for the fund; the Code of Virginia is specific about how these funds are to be used.

Chairman Fore then requested the Board to move to the agenda item regarding this issue.

Mr. Bartlett stated that in response to the budget amendment regarding the Fire Program Funds which was approved by the Board on December 11, 2012, the Virginia Department of Fire Programs received false allegations that Prince Edward County was using Fire Program Funds inappropriately. Information received by the Department of Fire Programs was incomplete in that it did not mention that the County had already appropriated the FY13 Fire Program Funds in the County's existing budget, which was critical in understanding the action taken by the county. Mr. Bartlett stated he was contacted Friday, February 8, 2013, by Mr. Rhonn James, the Grants & Local Aid Manager regarding the allegations. Mr. James agreed the FY 12 Funds had been spent appropriately; his concern was the FY 13 funds would be used to support the jail instead of the Fire Programs. Mr. Bartlett said he explained that was an incorrect assumption and that the FY 13 Funds had already been appropriated and budgeted, Mr. James withdrew the complaint, and agreed that the County had submitted the 2012 documentation which showed where the funds were expended, and it was proper.

Mr. Bartlett stated he then spoke with Mr. Shelton, Director of Fire Program Funds, and expressed his extreme displeasure that one of his employees would make such an allegation without first talking to the County of Prince Edward; Mr. Shelton was unaware of this issue, but after researching the issue, Mr. Shelton said that there was no problem, that the funds need to be used appropriately and they are.

Mr. Bartlett stated there will be changes in the Fire Program budget; the County will not budget Fire Program Funds in the future. There are only a few categories that the County can expend those funds and receive reimbursement: equipment, training, supplies, and materials. The County will require the Fire Departments to work together to come up with a list of expenditures, submit them to the County for approval; then and only then will the expenditures of those funds be allowed. The State has agreed there

has been no misuse of funds; they did not have that one piece of information that those funds had already been budgeted for FY 13.

Discussion followed. Mr. Bartlett said that those funds are budgeted in the original budget and are contained in the approximately \$480,000 that are dispersed to the fire departments.

Supervisor Gantt entered the meeting at this time.

Mr. Bartlett reiterated that the Board will change the way the funds are budgeted to the fire departments; the funds are contained in the original budgeting, and the funds from the Fire Program are within that budgeted amount. The new process will require the fire departments submit to the Administrator the items on which they wish to expend the funds to ensure enough money is expended in the appropriate categories. Each department receives \$68,000 per year, but it may change because of this new procedure.

Cornell Walker, Prospect District, expressed his concern about the budget and transparency.

In Re: Board of Supervisors Comments

Supervisor Gantt stated that in October 2012, he contacted the County Administrator regarding a copy of the budget and was given one immediately. If anyone requires the information, County staff provides it. The sole requirement was the number of clicks it took to find the budget on the web site; that's a ridiculous way to figure "transparency." Mr. Bartlett put a copy in his hands in ten seconds. The budget should be on the web site and it is on the web site.

Mr. Bartlett said the major factor this coalition used to grade the county was based upon the approved budget being on the web site and if citizens could get there with one click. The recommended budget was on the web site; also included on the web site is the budget presentation, the explanation of how citizen tax dollars were used, every individual fund was on there, all on the same page. The main reason the county got the "F" was because the approved budget wasn't on the web site; it was put on that day. There probably wasn't a 1% change between the recommended and approved budgets. That was on the web site the day the budget was presented to the board.

Mr. Bartlett then stated that he would rate the Virginia Coalition of Open Government an “F” on their grading system because they don’t care about the citizens who don’t have high speed internet. Those citizens count in Prince Edward County; the budget is at the library, the budget is in the Administrator’s office and it is given to those citizens that request it.

Supervisor Jones stated he recently went onto the web site; it took two clicks to get to the budget.

In Re: Consent Agenda

On motion of Supervisor McKay and carried:

<p>Aye: Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck</p>	<p>Nay: None</p>
--	------------------

Absent: Howard M. Campbell

the Board accepted the Treasurer’s Report for December 2012; the minutes of the meetings held January 8, 2013, January 29, 2013 and February 1, 2013; Accounts and Claims; Salaries; and appropriations as follows:

		<u>FY 2013 Budget Amendment</u>	
		<u>Debit</u>	<u>Credit</u>
3-741-24040-0022	CCCA/PSA Training Fund		\$ 2,100
4-741-97004-5510	CCCA/PSA Training	\$ 2,100	
3-100-24040-0080	Library of Virginia Records Grant		\$19,814
4-100-21600-3161	Clerk of Court / Preservation Grant	\$19,814	

Prince Edward Treasurer's Report - December 2012

<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	\$13,946,950.85	\$15,321.70	\$398,678.53	\$13,563,594.02
Wachovia Social Services	\$351,671.20		\$74,412.32	\$277,258.88
Bank of America School Fund	\$1,030,976.21	\$3,273.01	\$680,665.29	\$353,583.93
Bank of America Food Service	\$109,975.43	\$149.68	\$13,749.19	\$96,375.92
Benchmark Food Service	\$305,486.71			\$305,486.71
TOTAL				\$14,596,299.46

Certificates of Deposit		
Benchmark		\$519,048.66
Citizens Bank Recreation		\$15,000.00
Citizens Bank Underground Storage		\$20,000.00
Planners Bank		\$200,000.00
Wells Fargo Advantage Fund		\$162,427.66
TOTAL		<u>\$916,476.32</u>

BOARD OF SUPERVISORS

Pattie Cooper-Jones	Mileage		191.48
William G. Fore, Jr.	Mileage	197.03	
	Meals & tips	17.86	214.89
Robert M. Jones	Mileage		16.65
Charles W. McKay	Mileage	318.57	
	Tips	25.00	343.57
James Robert Wilck	Mileage	212.67	
	Tips	45.00	257.67

COUNTY ADMINISTRATOR

Pitney Bowes Financial Services	Postage meter lease		29.00
US Cellular	Phone		118.16
Sheila Martin	Mileage		18.08
Diamond Springs	Water & equipment rental		15.90
HR Direct	Attendance calendar		69.49

TREASURER

James W. Elliott, Attorney	Court costs	45.00	
	Bond fee	800.00	845.00
Barbara Lee	Mileage & tolls		85.81
Donna Nunnally	Mileage		39.83
Carol Overstreet	Mileage		18.65
Stephanie Bappert	Mileage		14.69
Sheridan Curtis	Mileage		5.08
Farmville Printing	Letterhead		57.00
M&W Printers, Inc.	Signature plate		102.43

INFORMATION TECHNOLOGY

Business Data of Virginia, Inc.	Travel expenses		750.00
BAI Municipal Software	Tech support		8,476.00

REGISTRAR

VRAV	Dues		170.00
------	------	--	--------

	<u>CIRCUIT COURT</u>	
Matthew Bender & Company, Inc.	Case Finder 7th Edition	174.37

	<u>GENERAL DISTRICT COURT</u>	
US Cellular	Phone	25.36

	<u>SPECIAL MAGISTRATES</u>	
Key Office Supply	Ink cartridges / tape	325.45
	Ink cartridges / hooks	76.27
AT&T	Phone	43.24
CenturyLink	Phone	84.91
Diane Andrews	Juror	30.00
Faye C. Bohns	Juror	30.00
Sherry Southall Clark	Juror	30.00
Paul Kenneth Copeland, Jr.	Juror	30.00
James B. Gates, Jr.	Juror	30.00
Rawleigh Hurt	Juror	30.00
Jennifer Sandlin	Juror	30.00
Dale N. Allen	Juror	30.00
Jennifer M. Apperson	Juror	30.00
Ruth J. Ashbrook	Juror	30.00
Kathy L. Baldwin	Juror	30.00
Rebecca L. Brooks	Juror	30.00
Howard M. Bucknam	Juror	30.00
Patrick B. Carwile	Juror	30.00
Eddie Chaffin, Jr.	Juror	30.00
Sean C. Chapman	Juror	30.00
Elizabeth C. Chassey	Juror	30.00
Nancy B. Chernault	Juror	30.00
Lorraine R. Christ	Juror	30.00
Shelia M. Croner	Juror	30.00
Charlotte D. Cyrus	Juror	30.00
Bobbe R. Diels	Juror	30.00
Randall W. Edmonson	Juror	30.00
Jonelle S. Ennis	Juror	30.00
Lucille Eppes	Juror	30.00
Lennon Evans	Juror	30.00
Shelia S. Giuriceo	Juror	30.00
Barbara A. Good	Juror	30.00
Deboarah Michele Grimsley	Juror	30.00
Tammy M. Hines	Juror	30.00

	<u>LAW LIBRARY</u>	
AT&T	Phone	36.76
CenturyLink	Phone	39.60
LexisNexis	Online service	239.00
Matthew Bender & Company, Inc.	Jury Instru. Civil R13	253.73
	Rules Vol 11/12 Supp	16.97
		135.35

COMMONWEALTH'S ATTORNEY

Treasurer of Virginia	IPad Service		135.15
-----------------------	--------------	--	--------

VICTIM WITNESS ASSISTANCE PROGRAM

Key Office Supply	Ink cartridges / notes		77.94
-------------------	------------------------	--	-------

SHERIFF

Prince Edward Health Department	Flu / Hepatitis shots		182.31
---------------------------------	-----------------------	--	--------

Commtronics of Virginia	Reprogram radios	924.00	
-------------------------	------------------	--------	--

	Repair handheld radio	101.46	
--	-----------------------	--------	--

	Handheld radio battery	141.91	1,167.37
--	------------------------	--------	----------

East End Motor Company, Inc.	Wrecker service / tire change	75.00	
------------------------------	-------------------------------	-------	--

	Radiator / inspection	668.72	
--	-----------------------	--------	--

	Flat repair	21.60	765.32
--	-------------	-------	--------

Express Care	Oil changes (7)		379.72
--------------	-----------------	--	--------

Farmville Auto Parts	Battery (2)	259.98	
----------------------	-------------	--------	--

	Capsule	11.39	
--	---------	-------	--

	Oil change	57.98	
--	------------	-------	--

	Bulb	4.59	333.94
--	------	------	--------

Grant's Glass	Windshield repair		291.52
---------------	-------------------	--	--------

Kustom Signals, Inc.	Radar repair		120.00
----------------------	--------------	--	--------

Pro Auto, LLC	Repair brake light		16.00
---------------	--------------------	--	-------

Third Street Wrecker Service	Towing		125.00
------------------------------	--------	--	--------

VES Auto Body	Repair / paint hood		642.60
---------------	---------------------	--	--------

Business Card	Postage	28.48	
---------------	---------	-------	--

	Meals	18.50	
--	-------	-------	--

	Christmas cards	54.65	
--	-----------------	-------	--

	Gas	31.00	
--	-----	-------	--

	Uniforms	242.44	375.07
--	----------	--------	--------

Carrington's Cellular	Phone		99.99
-----------------------	-------	--	-------

Treasurer of Virginia	VCIN		54.05
-----------------------	------	--	-------

Kinex Networking Solutions	Remote data backup		19.95
----------------------------	--------------------	--	-------

CenturyLink	VCIN		10.52
-------------	------	--	-------

US Cellular	Phone		710.84
-------------	-------	--	--------

Robby Franklin	Meal		7.84
----------------	------	--	------

Joseph Sprague	Meals		26.48
----------------	-------	--	-------

Brandon Yoder	Meal	33.42	
---------------	------	-------	--

	Academy meal allowance	413.00	446.42
--	------------------------	--------	--------

Central Virginia Criminal Justice Academy	Training		225.00
---	----------	--	--------

Business Data of Virginia, Inc.	Norton Anti-virus		29.95
---------------------------------	-------------------	--	-------

Diamond Springs	Water & equipment rental		107.29
-----------------	--------------------------	--	--------

Key Office Supply	Ink cartridges	59.98	
-------------------	----------------	-------	--

	Folders	106.11	
--	---------	--------	--

	Files	182.40	
--	-------	--------	--

	Office supplies	7.75	
--	-----------------	------	--

	File folders	5.89	
--	--------------	------	--

	Copy paper	149.75	
--	------------	--------	--

	Folders / labels	33.40	
--	------------------	-------	--

	Credit	-3.62	541.66
--	--------	-------	--------

Staples Advantage	Toner / batteries / pens		1,059.92
-------------------	--------------------------	--	----------

Walmart	Office supplies	97.11	
	Key holders	3.94	
	Auto detail supplies	26.28	127.33
National Neighborhood Watch	Signs		785.00
Southside Electric Cooperative	Electric service		9.08
Rockwell Audio	Install LED lights		55.00
Rod & Staff Welding	Tires		742.00
Moore Medical, LLC	Gloves		456.75
Sirchie Finger Print Labs	Tape / measuring wheel		506.84
Southern Police Equipment Company	Bullet-proof vest	850.00	
	Ties	128.80	
	Boots	140.99	1,119.79
DMV	Special ID		10.00
Quality Uniform Company, Inc.	Pants		239.50

RICE VOLUNTEER FIRE DEPARTMENT

John Deere Financial	LP fuel	380.60	
	Diesel	194.50	
	Gas	304.01	879.11
VFIS	Portfolio insurance	2,279.00	
	Umbrella insurance	188.00	2,467.00
Dominion Virginia Power	Electric service		269.70

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

NAPA of Farmville	Bulb	6.47	
	Service charge	0.50	6.97

PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone		95.01
Carquest Appomattox	Fuel pump	90.48	
	Barracade hose	7.20	97.68
Foster Fuels	Propane		240.97
Pamplin Exxon	Fuel	421.12	
	Parts	8.39	429.51
Verizon	Phone		116.12
Dominion Virginia Power	Electric service		347.72
GWA Fire	Inspect extinguishers		165.50

MEHERRIN VOLUNTEER FIRE DEPARTMENT

Parker Oil Company, Inc.	Gas	834.57	
	Propane	1,494.37	
	Diesel	876.39	3,205.33
US Cellular	Phone		135.35
Verizon	Phone		164.54
Dominion Virginia Power	Electric service		343.73

REGIONAL JAIL & DETENTION

Irongate Boundary Management	Electronic monitoring		1,046.25
Piedmont Regional			
Juvenile Detention Center	Juvenile detention		3,525.00

Piedmont Regional Jail	Inmate days - past due	23,917.42	
	Inmate days - Dec 2012	52,184.94	76,102.36

BUILDING OFFICIAL

US Cellular	Phone		25.36
Treasurer of Virginia	2% Levy on permits		112.22

ANIMAL CONTROL

Dominion Virginia Power	Electric service		468.63
CenturyLink	Phone		130.58
US Cellular	Phone		50.97
Walmart	Boots		79.94

BIOSOLIDS MONITORING

US Cellular	Phone		25.86
-------------	-------	--	-------

REFUSE DISPOSAL

Resource International	Misc work tasks	4,486.78	
	Storm water compliance	865.00	
	Groundwater monitoring	36,695.79	42,047.57
Ayers Building & Supply Company	Key		1.64
C & L Machine & Welding	Repaired dumpster		1,243.00
Emanuel Tire of Virginia	Tire recycling		2,187.00
Southside Electric Cooperative	DH site		122.61
Dominion Virginia Power	Leachate pump	144.70	
	Scalehouse	154.19	
	Rice site	116.16	
	Cell C pump station	24.78	
	Green Bay site	107.85	
	Worsham site	129.36	
	Prospect site	132.94	
	Landfill site	60.45	870.43
AT&T	Phone		168.86
CenturyLink	Phone		279.73
Ranson's, Inc.	Phones		39.98
US Cellular	Phone		25.61
Verizon	Phone		122.47

GENERAL PROPERTIES

OK Termite & Pest Control	Exterminating service		150.00
Buster's Radiator Service	Radiator repair		95.00
Southside Electric Cooperative	SRR lights		30.10
Dominion Virginia Power	Roy Clark monument	43.44	
	Courthouse	11,130.36	
	Shop	46.81	
	SCOPE	307.39	
	Sheriff Department shed	5.66	
	Worsham Clerk's office	133.44	
	Ag building	1,926.19	13,593.29
Parker Oil Company, Inc.	Heating oil		704.21

AT&T	Phone		36.75
CenturyLink	Phone		129.84
US Cellular	Phone		85.68
Business Data of Virginia, Inc.	Norton update		29.90
Grainger	Floor pads	251.30	
	Bolts	26.82	
Ayers Building & Supply Company	Salt-treated lumber	175.28	
	Concrete mix	10.40	185.68
Diamond Springs	Equipment rental		8.95
Ranson's, Inc.	Batteries		19.99

CANNERY

Valley Boiler, Inc.	Water pump		1,763.16
Southside Electric Cooperative	Electric service		202.76
CenturyLink	Phone		176.55
US Cellular	Phone		25.36

COMPREHENSIVE SERVICES ACT

Braley & Thompson, Inc.	Professional services		11,066.50
Centra Health	Professional services		9,384.00
Crossroads Services Board	Professional services		160.00
Family Preservation Services	Professional services		1,303.75
Grafton School, Inc.	Professional services		14,970.00
United Methodist Family Services	Professional services		2,875.56

OTHER WELFARE / SOCIAL SERVICES

Southside Center for Violence Prevention, Inc.	1x Contribution		3,000.00
---	-----------------	--	----------

PLANNING

Samuel Coleman	Commission meeting	100.00	
	Mileage	13.56	113.59
Preston Hunt	Commission meeting	100.00	
	Mileage	22.60	122.20
Robert M. Jones	Commission meeting	100.00	
	Mileage	5.65	105.65
Clifford Jack Leatherwood	Commission meeting	100.00	
Robert Christopher Mason	Commission meeting	100.00	
	Mileage	10.17	110.17
John F. Townsend, III	Commission meeting	100.00	
	Mileage	8.48	108.48
Brett Von Cannon Watson	Commission meeting		100.00
US Cellular	Phone		56.48

ECONOMIC DEVELOPMENT

US Cellular	Phone		25.36
Business Card	Parking	8.00	
	Meals	180.07	188.07

	<u>TOURISM</u>	
Dominion Virginia Power	Electric service	281.05
Highway Information Media	Welcome Center blitz	3,000.00
Page One, Inc.	Advertising	1,500.00
	<u>GENERAL EXPENSE</u>	
Lumos Networks	Phone	2,716.32
Southern States Cooperative, Inc.	Gas	12,655.40
Anthem BCBS	Cobra insurance	560.00
	<u>CAPITAL PROJECTS</u>	
BAI Municipal Software	Software upgrade	1,500.00
Prince Edward Health Department	Well / septic permit	725.00
	<u>DEBT SERVICE</u>	
Central Virginia Bank	YMCA Loan - interest	22,123.04
	<u>WATER FUND</u>	
Town of Farmville	Water analysis	40.00
	Water	633.91
		673.91
	<u>SEWER FUND</u>	
Dominion Virginia Power	Sewer pump	36.01
	<u>REVENUE SHARING FUND - VDOT</u>	
Haymes Brothers, Inc.	Route 786 construction	327,488.17
Hurt & Proffitt, Inc.	Engineering - Route 786	32,932.67
	<u>PIEDMONT COURT SERVICES</u>	
Connie Stimpson	Postage	7.80
	Mileage	16.96
Julianna Ferrell	Mileage	136.20
Sandy Fox	Mileage	16.38
Sheena Franklin	Mileage	111.53
Sharon Gray	Mileage	69.47
Renee T. Maxey	Mileage	25.99
Ashley Nash	Mileage	22.30
	<u>PCS SUPERVISION FEES EXPENDITURES</u>	
SRP Corporation, LLC	Rent	2,383.00
Page Hardy	Cleaning service	105.00

In Re: Highway Matters

Supervisor Jones expressed his concern regarding the potholes on Route 460. Mrs. Puckett stated she had been in touch with Mr. Kevin Wright, who indicated VDOT grades the quality of the roadways

annually; the section of Route 460 in question has been affected by the rain. She said Mr. Wright hopes that the score of the pavement at that area will be such that they will return to Prince Edward County and correct the problem permanently.

Supervisor Gantt questioned why the pine trees are permitted to lean across the roads countywide and asked if there is a way to work with VDOT to have those trees removed. Mrs. Puckett stated that VDOT has told her repeatedly that they cannot remove a tree on private property; until a tree falls on public property, they have no authority to remove that tree. Discussion followed.

Supervisor Cooper-Jones thanked Mr. Spates and Mr. Atkins for taking care of the roads in Farmville District.

In Re: Update from Commonwealth Regional Council (CRC)

Mary Hickman, Interim President and CEO of the CRC, provided a brief history and an update on the programs and activities of the Commonwealth Regional Council.

In Re: School Board Appointments

Chairman Fore stated the terms of the following School Board members expire June 30, 2013:

- District 401 – Osa Sue Dowdy (Supervisor Charles McKay)
- District 701 – Ellery Sedgwick (Supervisor Jim Wilck)

Supervisor McKay stated the Citizen Committee for District 401 comprises:

Patsy Pelland, Chair
51 Ropp Road
Farmville, VA 23901
(434) 223.2182

John Eastby
1 Venable Lane
Farmville, VA 23901
(434) 223.8940

Pam Venable
7706 Abilene Road
Farmville, VA 23901
(434) 223.3644

Supervisor Wilck announced the Citizen Committee for District 701 comprises:

Peggy Cave, Chair
1203 Fifth Avenue
Farmville, VA 23901
(434) 392.4422

Heather Edwards
1001 High Street
Farmville, VA 23901
(434) 392.3112

Laura French
802 Creekwood Trail
Farmville, VA 23901
(434) 392.3833

Melissa Gayles
1509 Fourth Avenue Ext.
Farmville, VA 23901
(434) 547.7737

Janet Gillian
803 Creekwood Trail
Farmville, VA 23901
(434) 392.3397

Supervisor McKay made a motion to authorize the advertisement of the Citizen Committees for the purpose of encouraging citizens to submit nominations to the Committees and to authorize the advertisement of a Public Hearing to be held on March 12, 2013, at which citizens will have an opportunity to submit names of candidates to be considered for appointment to the School Board; the motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson
Jim R. Wilck

Nay: None

Absent: Howard M. Campbell

In Re: Request from the Town of Farmville

Mr. Bartlett stated a letter was received from the Town of Farmville dated January 10, 2013, requesting a two-year extension on the County's approval to use Mottley Lake as a temporary emergency water supply, making the authorization valid until December 31, 2014. The initial approval ran through December 31, 2012; that approval has expired.

Supervisor Wilck made a motion to approve the request of the Town of Farmville to permit the extension of the use of Mottley Lake as a water source for the Town in the event of an emergency until December 31, 2014.

Aye: Pattie Cooper-Jones
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Jim R. Wilck

Nay: William G. Fore, Jr.
Howard F. Simpson

Absent: Howard M. Campbell

In Re: Agreement with School Board

Mr. Bartlett reviewed a Letter of Agreement from the School Board in response to the County's request for access to diesel fuel for the fire and EMS departments.

Chairman Fore stated the operational days and times set forth in the agreement may not work for the fire departments. Mr. Bartlett said someone must be in the school's transportation yard; the departments must ensure they are fueled prior to the weekend.

Supervisor McKay made a motion to approve the Letter of Agreement and to authorize the Chairman to sign on behalf of the Board of Supervisors; the motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson
Jim R. Wilck

Nay: None

Absent: Howard M. Campbell

In Re: Resolution Regarding Industrial Hemp Farming Act

Mrs. Sarah Puckett, Assistant County Administrator, stated contact had been made with Congressman Hurt's office. The draft resolution that was provided urges the 112th Congress to adopt the Industrial Hemp Farming Act; we are now in the 113th Congress, and according to Paul Hoffman, there has been no bill introduced before the 113th Congress regarding Industrial Hemp Farming. Congressman Hurt does not have a position on this issue.

Chairman Fore stated VACo is supporting Industrial Hemp Farming.

Supervisor Gantt made a motion to table this issue until the March 12, 2013 meeting; the motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson
Jim R. Wilck

Nay: None

Absent: Howard M. Campbell

**A RESOLUTION URGING THE 112TH CONGRESS
TO ADOPT THE INDUSTRIAL HEMP FARMING ACT**

WHEREAS, the industrial hemp industry has recently experienced a revitalization with worldwide hemp sales continuing to increase; and

WHEREAS, faltering agricultural economics in a number of states have created pressure to investigate alternative crops, including industrial hemp; and

WHEREAS, industrial hemp's three raw materials – fiber, hurds and seeds – can be used in more than 25,000 products, including textiles, rope cellulose plastics, resin, particle board, paper products, shampoo, vitamins and oil; and

WHEREAS, the histories of the United States and Virginia are replete with examples of the utility of and dependence on industrial hemp, which was legally cultivated in Virginia and many other states until the late 1930s; and

WHEREAS, although industrial hemp is derived from the Cannabis Sativa plant, it is distinctive from its better known relative in that it contains less than one percent of the chemical responsible for its psychoactive properties; and

WHEREAS, under the current United States drug policy, all Cannabis varieties, including hemp, are considered Schedule 1 controlled substances under the Controlled Substances Act and as such the growing of industrial hemp is controlled and strictly regulated by the U.S. Drug Enforcement Administration (DEA); and

WHEREAS, the growing of industrial hemp in the United States has been allowed only by a federal permit issued by the DEA, and the conditions of such a permit are so restrictive as to make the experimental cultivation of hemp essentially impossible; and

WHEREAS, the Virginia General Assembly has urged the federal government to revise the necessary regulations so as to permit the controlled experimental cultivation of industrial hemp in Virginia; and

WHEREAS, the National Farmers Union (NFU) has urged the President, Attorney General and Congress to direct the U.S. DEA to differentiate between industrial hemp and marijuana and adopt a policy to allow American farmers to grow industrial hemp under state law without requiring DEA licenses; and

WHEREAS, The National Association of State Departments of Agriculture support revisions to the federal rules and regulations authorizing commercial production

of industrial hemp and has urged the DEA to develop and adopt an official definition of industrial hemp that comports with definitions currently used by Countries producing hemp; and

WHEREAS, the Industrial Hemp Farming Act (House Resolution 1831), has been introduced in Congress with the intention of removing Industrial Hemp as a Schedule 1 controlled substance under the Controlled Substance Act and allowing the State Legislatures to license and regulate the commercial production of hemp as an industrial and agricultural commodity; and

WHEREAS, the Prince Edward County Board of Supervisors hereby supports the adoption of the Industrial Hemp Farming Act by Congress in order to facilitate the commercial cultivation of industrial hemp by granting the states the necessary authority to license and regulate the production of hemp as an industrial and agricultural commodity.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Prince Edward, Virginia that the Board of Supervisors hereby urges the 112th Congress to adopt the Industrial Hemp Farming Act and grant the states the authority to license and regulate the production of hemp as an industrial and agricultural commodity which in turn will open the market for farmers, businesses and entrepreneurs in the emerging and fast growing hemp industry.

In Re: Appointments: Old Dominion RC&D

At its December meeting, the Board authorized the re-advertisement of the two citizen volunteer vacancies for the Old Dominion RC&D Council. No applications were received.

Chairman Fore appointed Supervisor Howard Simpson to the RC& D Council and Sarah Puckett as Alternate, at least while the Board of Supervisors makes a determination as to whether the County still wishes to participate in the RC&D.

The Board concurred.

In Re: Prospect Depot Appropriation of TEA-21 Funds

Mrs. Sharon Lee Carney, Director of Economic Development, stated the Board of Supervisors was recently notified that the Prospect Depot Project was awarded \$99,019 in Southside Economic Development Funds from the Virginia Tobacco Indemnification and Community Revitalization Commission. The receipt of these funds will now meet the \$125,250 Enhancement Grant 20% match requirement. The Prospect Historical Society and DCR have already provided \$60,998 toward the project match and with the \$99,019 award the project total match is \$160,017.

Mrs. Carney said the project will be able to move immediately toward the bidding and construction phase once the review of plans by VDOT, BCOM and DHR is complete.

Supervisor Cooper-Jones made a motion to approve the budget amendment and appropriate funds to cover the remaining costs to rehabilitate the Historic Prospect Depot, as follows:

<u>FY 2013 Budget Amendment</u>		<u>Debit</u>	<u>Credit</u>
3-100-24040-0020	VDOT Transportation Grant		\$ 395,659
3-100-24040-0019	Tobacco Commission Grant		\$ 99,019
4-100-94000-0028	Prospect Depot	\$494,678	

The motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson
Jim R. Wilck

Nay: None

Absent: Howard M. Campbell

In Re: Planning & Community Development Report

Mrs. Alecia Daves-Johnson, Planner, reported that the Planning Commission met on January 22, 2013, during which an amendment was made to the By-Laws adding language to clarify the requirement of property owners consent to zoning applications. Board approval is requested.

Supervisor Jones made a motion to approve the By-Laws of the Planning Commission; the motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson
Jim R. Wilck

Nay: None

Absent: Howard M. Campbell

Mrs. Daves-Johnson updated the Board regarding the Tobacco Commission Agribusiness Grant application; the grant project, which had a budget of \$825,000 in grant funds, was tabled. The scope of the grant was for additional infrastructure at the existing cannery to expand the ability to process and freeze vegetables and to provide a separate space for the processing of fish and shellfish. The feasibility of whether the inherent problems with that building might not be overcome to meet the capacity needs of the proposed users and to meet all the state and federal approvals that are necessary to process food commercially became a topic. That grant application was tabled to allow the County to revisit the feasibility to construct a new facility or renovate an existing vacant facility. Staff is working on a schematic and the general cost of an upgrade to the existing facility versus a new facility. The Tobacco Indemnification and Community Revitalization Commission requested this by April, with a decision expected in May.

Mrs. Daves-Johnson gave an update on the current grant project which is upgrading the current cannery; the commercial use is gaining momentum. Commercial clients at the facility processed nearly 7,500 jars of product; earned process approval for at least 13 different recipes, including six different flavors of preserves, peach salsa, applesauce and seven varieties of barbeque sauces; the VDACS inspector met with at least three commercial clients to approve their processing methods. She then explained the process in gaining approval for a recipe.

Mrs. Daves-Johnson stated an extension to the current grant project has been requested. In 2013 increased use is anticipated of the co-packing service and increased assistance to the commercial food businesses.

Mrs. Daves-Johnson said there is a request from the Planning Department staff for the Board to consider a proposed application for planning grant funds from the Governor's Agriculture and Forestry Industries Development Fund (AFID). There is a 50/50 match requirement, of which in-kind match can only be 50% of the total match funds. The planning grant is needed to fund the pre-development work for the regional Food Enterprise Center, identifying the structure for constructing the facility, the long-term operation, identifying the partners and their levels of commitment, and estimating the whole economic impact of this project and its significance and positive impact on the local agricultural sector. A grant award of \$20,000 is sought.

Mrs. Alecia Daves-Johnson then reported the program and funds of the Governor's Agriculture and Forestry Industries Development Fund (AFID) will reside within the Virginia Department of Agriculture, with funding recommendations made by the Secretary of Agriculture and Forestry to the Governor. The Governor will make final award decisions.

She stated the application to this grant must be submitted by a locality; the locality must demonstrate participation from an agricultural work group or committee. There has been a committee of professionals serving in this capacity throughout the commercial cannery project. The Board is asked to formally recognize this work group for the purposes of the Food Enterprise Center project and this grant application. The work group must have the demonstrated support of the local government.

Mrs. Daves-Johnson said the locality must provide an equal local match; in kind donations, such as staff time or office space, are acceptable for up to 50% of the required match. The local match does not have to be in-hand at the time of application, but a commitment that it will be provided prior to project completion is required. The grant application budget is expected to be \$40,000. This requires a match of \$20,000 local funds to the \$20,000 requested grant award. Of the \$20,000 local match, \$10,000 can be in-kind, but \$10,000 must be a local cash match. Previously invested local funds may not be used as local match. Funds from the Tobacco Indemnification Commission may be used for up to half of the local cash match, but requires authorization from the Tobacco Indemnification and Community Revitalization Commission.

Mr. Bartlett stated other counties are looking to emulate Prince Edward County's cannery which is proving to the Tobacco Indemnification and Community Revitalization Commission that there is a need and earning potential for our farmers and entrepreneurs. The Tobacco Indemnification and Community Revitalization Commission is moving towards regional partnership; this planning grant will allow us to work to neighboring counties to determine the best location, how to develop the regional contract, and move forward from that point. Further discussion followed.

Supervisor Jones made a motion to approve the submission of an AFID Planning Grant application; the motion carried:

Aye: William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson

Nay: Pattie Cooper-Jones
Jim R. Wilck

Absent: Howard M. Campbell

Supervisor Gantt made a motion to recognize the Working Group associated with the Food Enterprise Center project; the motion carried:

Aye: William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson

Nay: Pattie Cooper-Jones
Jim R. Wilck

Absent: Howard M. Campbell

Supervisor McKay made a motion to authorize the Board Chairman or the County Administrator to sign the grant application materials; the motion carried:

Aye: William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson

Nay: Pattie Cooper-Jones
Jim R. Wilck

Absent: Howard M. Campbell

In Re: County Administrator's Report

Route 786 Update – Mr. Bartlett stated most of the punch list items have been resolved. Most of the remaining items are associated with work on State Route 15; the wet weather had been the primary reason for the delay in finishing the punch list. The contract runs until March 11, 2013.

Court House Roof – Mr. Bartlett reported that samples of the shingles have been collected and mailed to the manufacturer; a determination will be made if the problem was due to a product defect or installation.

Granite Falls – Mr. Bartlett stated the New Market Tax Credit program was extended by Congress. The U.S. Department of the Treasury is reviewing applications for allocations and plans to announce

allocation awards in April. Once a CDE is provided an allocation it will take 4-6 weeks for the CDE and Treasury to enter into an agreement. The agreement will state by major category (housing, job creation, etc.) how the CDE will use the funds. The CDEs will take another 4-6 weeks to select specific projects such as Granite Falls. The developer is working with several CDEs which traditionally receive allocations to provide partial financing for the project. Per the Engagement letter with McGuireWoods (which stated no billing would be due until legal fees exceeded \$75,000) they provided an invoice for \$76,290.66.

McGuireWoods agreed to reduce the amount due to \$50,000 which was paid from the funds provided by the developer and held by the County. The developer has provided Prince Edward \$50,000 to replenish the account. Additionally, McGuireWoods has agreed to hold the remaining \$26,290.66 until such time as the closing of the financing for the project and if the closing does not occur they will write off the remaining balance.

Appomattox River Authority – Mr. Bartlett stated that at the request of the Appomattox River Authority the Chairman and Vice-Chairman of the Board of Supervisors and the County Administrator met with the Executive Director of the Authority, Robert Wichser, and Roy Covington, Director of Utilities for Chesterfield County. The Authority is looking at all available sources of water which could be used as a supply during emergency situations. The Authority is interested in studying the release of water from Sandy River Reservoir and if such a release would be beneficial to the Authority. The Authority is interested in studying two test releases of between 30-50 million gallons of water per day to determine the impact on Lake Chesdin. The Board members informed the Authority representatives they would need to develop models estimating the impact on the Reservoir. Once these models were complete the Authority could then return and make a presentation to the Board of Supervisors, and the full Board would make a decision to allow the test releases or not.

Mr. Bartlett said the Appomattox River Authority requested the County authorize the release of data to their engineers to develop this impact model.

Supervisor Wilck stated he felt a special meeting should have been called for this topic, and that he will meet with the Appomattox River Authority.

Chairman Fore stated that those two representatives from the Appomattox River Authority requested a meeting with specific people and the County did exactly what they asked. He added that he

never made a decision for the Board in the past and does not intend to start now. But as Chairman, he can listen and offer instructions to someone who requests something of this Board for a decision to come back to the Board, to be made. Chairman Fore said they made a brief, not in-depth presentation; afterwards, he, Supervisor Simpson and Mr. Bartlett agreed that their engineers form a type of model to bring to the Board to make a thorough presentation for the Board to make a determination.

Chairman Fore then said that the Sandy River Reservoir and water in it belong to the people of Prince Edward County and the Town of Farmville. “I have said, I have maintained that everyone downstream from us is looking at that hole of water. For several years past, in succession, we have had extremely dry weather. We have been threatened with really severe drought. Everyone is looking at water sources, and they haven’t said anything yet – this time they did. This is the tip of the iceberg. In my opinion, if we let one gallon of water out of that reservoir headed for Lake Chesdin in the name of a test, that lets those folks – the Appomattox River Authority – in the door. And they will not stop until they own Prince Edward County’s water. That’s my opinion.”

Supervisor Gantt expressed his concern that the entire Board was not made aware of the meeting. Mr. Bartlett stated that various people request a meeting annually and never ask for anything; the request was not known until during the meeting.

Discussion followed.

Mr. Bartlett questioned if the Board wished to release the existing data to the Appomattox River Authority so they can develop a model to present to the Board of Supervisors.

Supervisor Gantt suggested a meeting with the Town of Farmville and bring this to the next meeting.

Supervisor Wilck made a motion to release the data on the Sandy River Reservoir to the Appomattox River Authority to allow their engineers to develop a model to present to the Board of Supervisors.

Supervisor McKay questioned if this is the data that was paid for by Prince Edward County, and suggested the Appomattox River Authority pay for the data.

Discussion followed.

Supervisor Wilck amended his motion to make the data available to the Appomattox River Authority with the caveat that, if at any point in the future they take the water from Prince Edward County involuntarily, that a severe penalty is imposed.

After further discussion, Supervisor Wilck rescinded his amended motion and returned to his original motion, to release the data regarding the Sandy River Reservoir to the Appomattox River Authority so their engineers may develop a model to present to the Board of Supervisors.

Supervisor Gantt made a substitute motion to table the issue for 30 days or until the next Board of Supervisors meeting.

Chairman Fore called for a vote on the substitute motion, to table the issue for 30 days or until the next Board of Supervisors meeting; the motion failed:

Aye: Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay

Nay: Pattie Cooper-Jones
William G. Fore, Jr.
Howard F. Simpson
Jim R. Wilck

Absent: Howard M. Campbell

Chairman Fore then called for a vote on the original motion, to release the data regarding the Sandy River Reservoir to the Appomattox River Authority so their engineers may develop a model to present to the Board of Supervisors; the motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Don C. Gantt, Jr.
Howard F. Simpson
Jim R. Wilck

Nay: Robert M. Jones
Charles W. McKay

Absent: Howard M. Campbell

Chairman Fore declared a 10-minute recess.

Chairman Fore called the meeting back to order.

Edamame Processing Facility – Virginia State University has had an ongoing research project, funded by the Tobacco Commission, regarding the production, processing and marketing of Edamame in Southside Virginia. It has been determined that production is feasible which could provide a new product

for area farmers to produce. The next step is establishing a processing facility. Virginia State University's project leader, Laban Rutto, PhD, is requesting the County allow the location of a metal building (18' x 41') behind the cannery. Mr. Bartlett reviewed a synopsis of the project regarding the placement of the building and the list of equipment to be housed in the building.

Mr. Bartlett said County staff studied the impact of the request on the existing infrastructure and the building would fit without impacting either drainfield. The equipment could be moved to any future facility, if there is a future facility.

Supervisor Jones made a motion to approve the placement of a metal building (18' x 41') behind the cannery to establish an Edamame processing facility and to negotiate the terms with Virginia State University; the motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
------	--	-----------

Absent: Howard M. Campbell

In Re: Board By-Laws Committee Report

Mr. Bartlett stated the Board By-Laws Committee met January 22, 2013. The Committee comprises Supervisor Gantt, Chair; Supervisor Jones; Supervisor Simpson; and Supervisor Wilck.

Supervisor Gantt stated the Committee's discussion of a "Code of Ethics" for the Board of Supervisors is still a work in progress. Supervisor Gantt said the Committee recommends requiring a second to any motion. The Committee also presented two items for further discussion: the merits of rotating the offices of Chairman and Vice-Chairman, and framing and displaying the mission statement of the Prince Edward County Board of Supervisors prominently in the courthouse. The Committee also discussed requiring the Board Chairman to present a statement for the citizens of Prince Edward County approximately 15 days prior to or 15 days after the presentation of the final County budget, to explain the reasoning for budget changes.

After some discussion, Supervisor Gantt made a motion to have the Board of Supervisors mission statement framed and hung prominently on each level in the County Courthouse; the motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
------	--	-----------

Absent: Howard M. Campbell

In Re: Personnel Committee Report

Mr. Bartlett said the Personnel Committee met on February 5, 2013. The Committee is comprised of Supervisor Simpson, Chair; Supervisor Campbell; and Supervisor Wilck. Also present was County Administrator Wade Bartlett and the Commonwealth's Attorney.

The Committee reviewed a request by the Commonwealth Attorney. The Chief Deputy has submitted a retirement letter with a retirement date of May 1, 2013. The deputy's last day at work will be February 13, 2013 as he is going out on medical leave; this will leave the Commonwealth Attorney's office short an attorney for two and a half months.

The Commonwealth Attorney is requesting to hire a new attorney with a start date of April 1, 2013. This will result in an overlap of one month between the date of hire and the retirement of the existing attorney; this will cost the County \$6,625 in local funds.

The retirement will trigger other personnel actions that will result in a net savings to the County of \$1,640.50 during May and June of 2013, and an annual savings beginning July 1, 2013 of between \$13,469 and \$19,430. There are two possible alternatives regarding the Deputy II position depending on the final action taken by the General Assembly during this year's legislative session.

Supervisor McKay made a motion to approve the request from the Commonwealth Attorney to hire a new attorney with the start date of April 1, 2013 at a salary of \$60,000; the motion carried:

Aye: Pattie Cooper-Jones
 William G. Fore, Jr.
 Don C. Gantt, Jr.
 Robert M. Jones
 Charles W. McKay
 Howard F. Simpson
 Jim R. Wilck

Nay: None

Absent: Howard M. Campbell

In Re: Appropriations

Mr. Bartlett stated the County received reimbursement from the state for the grant received and used to complete the mandated study to analyze modifications required for the Sandy River Reservoir (SRR) Dam to pass an appropriate amount of water in case of a maximum probable precipitation event without causing failure of the Dam. These funds have already been expended and are being returned to the General Fund balance.

At the Joint meeting of the Board of Supervisors and School Board on January 29, 2013, the Board of Supervisors approved the expenditure of \$35,000 to conduct a community survey; an appropriation is required.

Supervisor Simpson made a motion to approve the budget amendments as follows and appropriate the same funds:

		<u>FY 2013 Budget Amendment</u>	
		<u>Debit</u>	<u>Credit</u>
3-100-24040-0014	VRA Dam Safety Grant		\$ 12,000
4-100-93000-0100	General Fund Balance	\$ 12,000	
3-100-41050-0100	From General Fund Balance		\$ 35,000
4-100-11010-3160	Board of Supervisors / Professional Services	\$ 35,000	

The motion carried:

Aye: Pattie Cooper-Jones
 William G. Fore, Jr.
 Don C. Gantt, Jr.
 Robert M. Jones
 Charles W. McKay
 Howard F. Simpson
 Jim R. Wilck

Nay: None

Absent: Howard M. Campbell

In Re: Request from Town of Crewe

Mr. Bartlett stated he received a request from the Town Manager of the Town of Crewe for engineering information concerning the Sandy River Reservoir. He said the Town of Crewe received a Planning Grant from the Department of Health to study options for increasing the water supply to the citizens of Crewe.

Mr. Bartlett stated they have always been interested in use of the Sandy River Reservoir and it has always been a funding issue. They would now like to review this option. They hired Hurt & Proffitt as their consulting engineers.

Supervisor Jones made a motion to release the information to the Town of Crewe and Hurt & Proffitt; the motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
------	--	-----------

Absent: Howard M. Campbell

In Re: Animal Warden's Report

Mr. Ray Foster, Animal Warden, submitted a report for the month of January 2013, which was reviewed and ordered to be filed with the Board papers.

In Re: Building Official's Report

Mr. Coy Leatherwood, Building Inspector, submitted reports for the month of January 2013, which was reviewed and ordered to be filed with the Board papers.

In Re: PERT Ridership Report

The Board reviewed the January 2013 ridership report from PERT and ordered them 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 January 2013, 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 January 2013, which was reviewed and ordered to be filed with the Board papers.

On motion of Supervisor Simpson and adopted by the following vote:

Aye:	Pattie Cooper-Jones	Nay: None
	William G. Fore, Jr.	
	Don C. Gantt, Jr.	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	

Absent: Howard M. Campbell

the meeting was recessed at 10:04 p.m.