

July 8, 2008

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 July, 2008; at 7:00 p.m., there were present:

William G. Fore, Jr.

Sally W. Gilfillan

Robert M. Jones

Charles W. McKay

James C. Moore

Howard F. Simpson

Lacy B. Ward

Mattie P. Wiley

Also present: Wade Bartlett, County Administrator; Sarah Puckett, Assistant County Administrator; Jonathan L. Pickett, Director of Planning and Community Development; James Ennis, County Attorney; Mable Shanaberger, Treasurer; Sharon Lee Carney, Director of Economic Development & Tourism; Sydnor Newman, Mayor of Farmville; Gerry Spates, Farmville Town Manager; and Farmville Town Council Members: Dr. Edward Gordon; Otto Overton; Donald Hunter; Tommy Pairet; Sally Thompson; and David Whitus.

Chairman Fore called the meeting to order. Supervisor Moore asked James Lyle to offer the invocation.

In Re: Public Participation

Reverend Sylvia Meadow, Pastor of Farmville United Methodist Church, presented each Board member a copy of a letter in support of the Light of Reconciliation project. She said the letter was signed by 14 pastors in Prince Edward County. Rev. Meadow said several local clergy have been meeting with the Prince Edward Dialog for Reconciliation. She said the local ministers formed a reconciliation fellowship, and are actively meeting to ask for God's guidance to lead the group in a variety of efforts to unite the community. The group is seeking ways to become involved in mentoring programs, and planning a community worship service. The reconciliation fellowship supports the Board of Supervisors in their efforts to lead the community to healing and reconciliation. She encouraged the Board to create a Prince

Edward County Truth and Reconciliation Commission. She said the county is known throughout the nation because of the historic *Brown v Board of Education* case, and she wants to be a part of the effort that Prince Edward County and Southside Virginia are taking to be known for its work to bring about healing and reconciliation. She thanked the Board for their efforts to lead the community in truth and justice. She said the fellowship is committed to being partners in this important work.

James Lyle, Farmville District, said after 40 years, he has received the opportunity to thank the Board for the courage it has shown to take a stand to say it was wrong to close the schools in Prince Edward County and to offer a firm apology. He said he was grateful and proud to live long enough for someone to apologize for the closing of the schools in Prince Edward County. He said he knows the current Board did not vote to close the schools, but to have the courage to apologize and take a stand says much of this Board. He said this is a brand new day for Prince Edward County.

Cornell Walker, Prospect District, said he was in attendance to represent the Reconciliation Dialog, and has attended some of the reunions where a lot of the former students who were part of the school strike have met. He said in the letter presented by Reverend Meadow, the Board is being asked to create a commission or panel that will truly bring about reconciliation. He said the resolution for the Light of Reconciliation is fine, but does not go far enough. He said for true reconciliation, people have to talk.

Mr. Walker said, “There are some powerful stories that are part of the history – school closing and the school strike – that this County needs to make sure it gets told. Having an oral description, a panel or a commission to do this at no cost to the County, would be true reconciliation. So tonight I am asking the Board to consider very carefully the request that is before you. If you are truly sorry for what happened, if you want to see Prince Edward County reconciled, write the history – let it be a part of Prince Edward County. Heal the wounds by people talking.”

In Re: Consent Agenda

Mr. Ward made a motion to remove the Accounts and Claims from the Consent Agenda for further discussion. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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On motion of Mr. Moore and carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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the Board accepted the Treasurer’s Report for the month of May, 2008; the minutes of the meetings held June 10, 2008 at 4:00 p.m., June 10, 2008 at 7:00 p.m., and June 18, 2008 at 7:00 p.m.; Salaries; an erroneous assessment for Francis X. Moore, III, in the amount of \$1,736.42; a budget amendment for the Clerk of the Circuit Court for Fiscal Year 2008, as follows.

		<u>Debit</u>	<u>Credit</u>
3-100-23000-0080	Shared Expenses-State-Technology Trust Funds		\$7,984
3-100-23000-0080	Shared Expenses-State-Technology Trust Funds		\$ 711
3-100-41050-0100	From General Fund Balance		\$9,750
4-100-21600-5880	Technology Trust Funds	\$17,734	
4-100-21600-5880	Technology Trust Funds	\$ 711	

and authorized the issuance of a Treasurer’s Check in the amount of \$39,479 to the Poplar Hill Community Development Authority from the Poplar Hill CDA District Special Levy.

May 2008

Fund balances were as follows:

General Fund-----	\$	121,638.41	
General Fund Reserved for Investment-----		9,127,680.90	
			\$ 9,249,319.31*
Prince Edward Community Development Fund-----		15,076.31	
Industrial Development Authority Fund-----		80,147.73	
Recreation Fund Reserved for Investments-----		25,593.45	
Forfeited Assets Fund Reserved for Investment-----		147,306.65	
School Capital Projects Fund – VPSA-----		26,333.25	
School Capital Projects Fund – QZAB01-----		15,274.47	
Underground Storage Tank Fund-----		20,000.00	
Economic Development Fund-----		1,185,000.00	
Board of Public Welfare Special Account-----		1,764.11	
Piedmont ASAP Fund-----		199,063.54	
School Fund-----		0.00	
Landfill Construction Fund-----		276,768.15	
PCS Fund-----		255,061.46	
Revenue Sharing Fund-----		(8,139.64)	
Retirement Benefits Fund-----		2,722.00	
School Capital Projects Fund – QZAB02-----		601,539.76	
DARE Donations Fund-----		3,772.32	
School Cafeteria Fund-----		259,228.28	
			12,355,831.15

Cash accounts were as follows:

Cash in office-----		1,000.00	
Cash in banks-----		2,034,186.79	
Warrants Payable (School Fund)-----		0.00	
General Fund Investments-----		9,127,680.90	
VPSA Investments-----		26,333.25	
QZAB01 Investments-----		15,274.47	
Underground Storage Tank Fund-----		20,000.00	
Recreation Fund Investments-----		25,593.45	
QZAB02 Investments-----		601,539.76	
Landfill Construction Fund for Investment-----		276,768.15	
Forfeited Asset Fund for Investment-----		147,306.65	
Industrial Development Authority Fund for Investment-----		80,147.73	
			12,355,831.15

*Of this \$9,249,319.31 in the General Fund, \$3,692,881.43 is encumbered for:

Transfers to:

Retirement Benefits Fund	11,339.00
School Fund	3,116,826.88
VPA Fund	66,489.78
Landfill Construction Fund	200,000.00
Debt Obligations	298,225.77
Total	3,692,881.43

This leaves an unencumbered balance of \$5,556,437.88 in the General Fund.

STATEMENT OF DEPOSITORY BALANCES

Balances as of May 2008:

Checking Accounts:

Benchmark Community Bank-----	\$ 144,408.68
Wachovia Bank-----	164,737.68
BB&T-----	1,640,548.57
Bank of America-----	339,390.58

\$ 2,289,085.51

Investment Accounts:

Benchmark Community Bank-----	\$ 749,315.66
Wachovia Bank-----	200,000.00
Citizens Bank & Trust Company-----	535,000.00
BB&T-----	4,536,116.61
Planters Bank & Trust-----	700,000.00
Mentor Investments-----	160,304.76
SNAP (State Non-Arbitrage Plan)-----	26,333.25
Bank of America-----	3,158,675.36

\$ 10,065,745.64

In Re: Accounts and Claims

Mr. Ward said he had questions regarding two invoices from Draper Aden Associates; one for \$34,000 for “HSC Task 1” and one for \$10,000 for “HSC Task 3.”

Mr. Bartlett said the two invoices concern the work that the County commissioned Draper Aden to complete which includes surveying and preliminary engineering of the route of the proposed water line from the Hampden-Sydney water tank to approximately 30 feet past the entrance to The Manor, and under Route 15 onto The Manor property.

Mr. Ward asked which appropriation covered this cost. Mr. Bartlett said that during the November 2007 Board of Supervisors meeting, it was under the professional engineering accounting line in the Sandy River Reservoir Department, which was part of the appropriations approved. The design services, surveying and utility location are the main costs associated with that.

Mr. Ward then asked about the source of the water. Mr. Bartlett said the water is from the Hampden-Sydney water tank up and down Route 15, mostly for fire flow at this time. He said Hampden-Sydney verbally agreed to allow the County to connect to their water tank to keep the County from having to build a water tank. Mr. Ward asked when this took place; Mr. Bartlett said it was during the November 2007 meeting held at the School Board office.

Mr. Ward said the interim water supply and the others are more specific: preliminary engineering for the intake and pump station at Sandy River Reservoir, treatability analysis, and preliminary engineering for Sandy River Reservoir. He asked who the interim water supply is for, and from. Mr. Bartlett said the interim water supply is for the County, and reminded him this was done during the time the water moratorium was in effect. He said there had been business prospects in the County, and this was one of the actions taken to ensure a water supply for future development. Mr. Bartlett said another option would have been for wells to be drilled.

Mr. Ward asked what the \$36,000 was used for; Mr. Bartlett said it was spent on planning, engineering and design.

Mr. Ward said some wells had been dug on The Manor's property; he asked what they had to do with the letter from Mr. Ennis regarding potable water, and if the wells were operational. Mr. Bartlett said he had understanding that some wells had been dug, but the County had no involvement with that. He added as the wells are owned privately, he could not answer if they are operational.

Mr. Ward then asked about the other invoice from Draper Aden for a Protection Plan for \$63,000. Mr. Bartlett said that was for the Sandy River Reservoir RPOD ordinance.

Mr. McKay made a motion to approve the Accounts and Claims. Mr. Ward said he would like to probe those two items further, and would vote, but with the exception of those two items. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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	<u>LIABILITIES</u>	
VA Department of Taxation	State Sales Tax	1.80
	<u>BOARD OF SUPERVISORS</u>	
Business Card	Meals	90.33
Walmart	Water & cola	49.26
	<u>COUNTY ADMINISTRATOR</u>	
AtWork Personnel Services	Clerical support	1,386.20
Pitney Bowes Financial Services	Postage meter lease	87.00
AT&T	Phone	239.73
Embarq	Phone	465.48
US Cellular	Phone	75.28
Business Card	Meals-84.75	
	Ink cartridges-55.86	
	EZ Pass-60.00	
	Fees-22.28	222.89
Clerk of Circuit Court	Notary renewal	10.00
Diamond Springs	Office supplies	15.45
Key Office Supply	Office supplies	136.22
Treasurer of Virginia	Notary renewal	45.00
Walmart	Batteries	38.85
Matthew Bender & Company, Inc.	08 Supplements/Index	288.55
Municipal Code Corporation	Code on Internet (year)	400.00
	<u>COMMISIONER OF REVENUE</u>	
Key Office Supply	Maintenance contract	205.00
AT&T	Phone	68.65
VITA	Online service	125.38
Ntelos	Internet	19.95
Embarq	Phone	203.65
Beverly M. Booth	Mileage-64.64	
	Refrigerator-377.97	442.61
Commissioners of Revenue	Registration	300.00
VALECO	Dues	60.00
Key Office Supply	Office supplies	685.66
Farmville Printing	Letterhead/envelopes	264.10
	<u>TREASURER</u>	
Diebold	Cash drawer repairs	551.42
Key Office Supply	Maintenance contracts	1,867.00
James W. Elliott, Attorney	Advertising	120.00
AT&T	Phone	114.45
VITA	Online service	148.52
Embarq	Phone	224.30
Stephanie Bappert	Mileage-113.12	
	Meals-19.73	
	Lodging-202.16	335.01
BAI Treasurers User Group	Dues	400.00
Treasurers Association of Virginia	Dues	190.00
VALECO	Dues	60.00
Key Office Supply	Office supplies	35.65
M&W Printers, Inc.	Process/print tax bills	4,700.00
James W. Elliott, Attorney	Court costs	180.00

	<u>INFORMATION TECHNOLOGY</u>	
Business Data of Virginia, Inc.	Travel expenses	125.00
	<u>ELECTORAL BOARD AND OFFICIALS</u>	
Samuel A. Martin, Jr.	Salary	584.68
Gordon V. Smith	Salary	584.68
William Eugene Watson	Salary	1,169.32
	<u>REGISTRAR</u>	
AT&T	Phone	40.39
VITA	Online service	3.25
Embarq	Phone	143.28
Dale L. Bolt	Mileage & meal	188.44
	<u>CIRCUIT COURT</u>	
Marcus R. Browning	Juror	30.00
Sherry S. Clark	Juror	30.00
Joseph D. Hicks	Juror	30.00
Robert A. McReynolds, Jr.	Juror	30.00
Marva Moseley	Juror	30.00
Frank V. Osborn	Juror	30.00
Darlene P. Simmons	Juror	30.00
AT&T	Phone	48.61
Embarq	Phone	170.14
Key Office Supply	Office supplies-530.76	
	Ink cartridges-156.61	
	Copier cabinet-125.00	
	Computer-1,911.00	
	Copier-849.00	3,572.37
	<u>GENERAL DISTRICT COURT</u>	
AT&T	Phone-Juv. Prob.-286.71	
	Phone-J&D-119.54	
	Phone-Gen. Dist. Court-113.18	519.43
Embarq	Phone-J&D-83.56	
	Phone-Juv. Prob.-103.69	
	Phone-Gen. Dist. Court-300.65	487.90
U S Cellular	Phone	37.64
Key Office Supply	Metal cart	55.59
	<u>SPECIAL MAGISTRATES</u>	
AT&T	Phone	132.81
Embarq	Phone	79.03
VITA	Pager rental	16.36
	<u>CLERK OF THE CIRCUIT COURT</u>	
AT&T	Phone	105.45
Embarq	Phone	275.04
International Land Systems	Redaction services	18,444.56
	<u>LAW LIBRARY</u>	
LexisNexis	Online service	197.00
Matthew Bender & Co., Inc.	08 Supplements/Index	288.55
Embarq	Phone	32.62

COMMONWEALTH'S ATTORNEY

Edward A. Mann	Postage	7.09
U. S. Postal Service	Postage	1,000.00
AT&T	Phone	222.66
Kinex Networking Solutions	Internet	49.95
Embarq	Phone	259.59
Key Office Supply	Office supplies	6,293.64
Pitney Bowes, Inc.	Ink cartridge	27.93

VICTIM WITNESS ASSISTANCE PROGRAM

AT&T	Phone	53.20
Embarq	Phone	47.06
Cindy Sams	Mileage-56.56	
	Meal-9.50	66.06
Key Office Supply	Office supplies	129.11

SHERIFF

Business Card	Flat repair-9.50	
	Postage-306.21	
	Meals-41.21	
	Lodging-365.01	
	Conference registration-200.00	
	Fees-106.43	
	Office supplies-288.48	
	Gas-240.75	
	Rope & flashlight-24.59	1,582.18
Commtronics of Virginia	Check auto camera system	514.50
DaProSystems, Inc.	Annual maintenance	7,105.00
UPS	Shipping	213.28
AT&T	Phone	585.84
ESI of Virginia, Inc.	Repair phone line	145.00
Embarq	Radio-10.52	
	Phone-476.59	487.11
Embarq Communications, Inc.	Phone	36.96
US Cellular	Phone	661.52
William D. Shular, Jr.	Meals	22.96
Diamond Springs	Office supplies	57.15
Key Office Supply	Office supplies	64.02
RDJ Specialties, Inc.	Crayons	277.99
Staples Business Advantage	Office supplies	385.46
Walmart	Office supplies-80.84	
	Photo processing-48.76	129.60
DMV	ID cards	20.00
Robert Goldman	Install NightSight	20.00
Sirchie Finger Print Labs	Fingerprint supplies	323.22
Southern Police Equipment Company	Pepper spray-79.92	
	Handcuffs-48.00	
	Name plates-23.94	
	Badges-623.50	
	Holster/handcuff case-185.74	
	Lapel pins-52.50	
	Holster-38.75	1,052.35
Best Uniforms, inc.	Uniforms	117.29
Quantum Graphics/Uniforms	Hat	136.00

RICE VOLUNTEER FIRE DEPARTMENT

Fire & Safety Equipment Company	Valve assembly/battery	207.03
Shanaberger & Sons	Generator service contract	334.95
Embarq	Phone	89.53
Dominion Virginia Power	Electric service	258.35

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

C. W. Williams	Serviced air packs	1,463.28
Darlington Heights Fire Department	Fuel	670.96
Stellar One Bank	Building loan payment-501.50	
	Loan-principal only-20,777.34	21,278.84
Ray Draper Heating	Ice machine repairs	432.10
Southside Electric Cooperative	Electric service	170.44
Verizon	Phone	73.73

HAMPDEN-SYDNEY VOLUNTEER FIRE DEPARTMENT

BB&T	Truck payment	33,263.62
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PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone	42.24
C. W. Williams	Air tank testing	1,108.81
Fire & Safety Equipment Company	Jumpsuit-343.00	
	Air tank testing-21.00	364.00
Pamplin Volunteer Fire Department	Fuel	444.02
Verizon	Phone	105.54
Dominion Virginia Power	Electric service	323.12

EMERGENCY SERVICES

Timmons Group	System maintenance	1,025.00
Korman Signs	Signs & hardware	206.55

REGIONAL JAIL & DETENTION

Family Preservation Service	Electronic monitoring	300.00
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BUILDING OFFICIAL

Coy Leatherwood	Meals-7.79	
	Meeting registration-15.00	22.79
Business Card	Laminating machine	287.48
Key Office Supply	Office supplies	2.68
US Cellular	Phone	37.64

ANIMAL CONTROL

Ridge Animal Hospital	Vet service	201.30
Embarq	Phone	32.03
US Cellular	Phone	75.48
Animal Care Equipment/Service, Inc.	Dangerous dog signs	264.17
Business Card	Cell phone insurance	50.00
Walmart	Dog & cat food	194.20
Galls, Inc.	Pants & speedloader	234.92
VorTech Pharmaceuticals	Fatal Plus solution	306.50

BIOSOLIDS MONITORING

US Cellular	Phone	37.64
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REFUSE DISPOSAL

Resource International	Miscellaneous work tasks-450.50	
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	Storm water compliance permit-116.00	
	Cell D construction document-571.20	
	Cell D management expense-19,424.19	
	Groundwater monitoring-19,607.11	40,169.00
Sherwin Williams Company	Paint for recycle boxes	31.65
O. O. Stiff, Inc.	Monthly service	865.50
Dave M. Walker	Cleaning box site	250.00
C&L Machine & Welding	Tarp roller assembly	917.40
Arena Trucking Company	Trash collections	390.00
Wright's Excavating	Landfill operation	42,187.50
Emanuel Tire of Virginia	Tire recycling	1,593.60
AT&T	Phone	135.39
Embarq	Phone	245.97
US Cellular	Phone	37.64
Verizon	Phone	110.35

SANDY RIVER RESERVOIR

Draper Aden Associates	Financial analysis-550.00	
	Intake/raw water facility-1,800.00	
	Water extension to HSC	
	-Task 1-34,000.00	
	Water extension to HSC	
	-Task 3-10,080.00	46,430.00
Troutman Sanders, LLP	Professional service	5,982.50

GENERAL PROPERTIES

Cummins Atlantic, LLC	Generator service contract	989.00
Fire Sprinkler, LTD	Annual service contract	1,200.00
O. O. Stiff, Inc.	Monthly service	100.00
Southside Electric Cooperative	DH site-61.87	
	SRR lights-31.66	93.53
Dominion Virginia Power	Animal shelter-70.21	
	Roy Clark monument-22.38	
	Courthouse-9,859.13	
	Leachate pump-180.01	
	Scalehouse-45.25	
	Shop-37.54	
	Cell C pump station-16.08	
	Moore building-313.02	
	Green Bay site-55.23	
	Worsham Clerk's office-13.25	
	Worsham shelter-43.61	
	Prospect site-53.30	
	Landfill site-30.99	10,740.00
AT&T	Phone	33.77
Embarq	Phone	110.45
U.S. Cellular	Phone	188.29
Walmart	Janitorial supplies-57.54	
	A/C repair supplies-25.81	83.35
Wilco, Inc.	Janitorial supplies	1,464.80
Business Card	AED cabinets	286.85
Diamond Springs	Office supplies	34.95
East End Chevron	Ice	22.56
OK Termite & Pest Control	Exterminating service	150.00

<u>CANNERY</u>		
Southside Electric Cooperative	Electric service	61.87
AT&T	Phone	40.62
Embarq	Phone	31.65
Walmart	Office supplies-108.49	
	Janitorial supplies-148.75	257.24
Can Corporation of America, Inc.	Cans & lids	2,480.06
Virginia Department of Taxation	Sale use tax on cans	124.00

<u>COMPREHENSIVE SERVICE ACT</u>		
Kathy Bandy	Foster care	546.00
Centra Health	Professional services	25,108.00
Crossroads Services Board	Professional services	5,875.00
Dominion Youth Services	Foster care	13.15
Family Preservation Services	Professional services	6,572.50
Juanita Fisher	Foster care	230.00
Grafton School, Inc.	Professional services	12,357.00
Christy Johnson	Foster care	431.00
Brittany Jones	Foster care	546.00
Lakeisha Lawson	Foster care	862.00
Ernestine Lee	Foster care	862.00
Strath House	Professional services	8,850.00
Angela Uhrich	Foster care	1,661.00
Commonwealth Catholic Charities	Foster care	40.00
Mable Shanaberger	Administrative fee	150.00

<u>PLANNING</u>		
Donald B. Gilliam	Commission meeting-100.00	
	Mileage-20.20	120.20
Robert M. Jones	Commission meeting-100.00	
	Mileage-5.05	105.05
Clifford Jack Leatherwood	Commission meeting	100.00
Robert Christopher Mason	Commission meeting-100.00	
	Mileage-9.09	109.09
Clem Richards	Commission meeting-100.00	
	Mileage-20.20	120.20
James Robert Wilck	Commission meeting	100.00
Business Card	Fed-Ex-63.25	
	Meals-90.32	153.57
US Cellular	Phone	75.28
SWANA	Dues	171.00
Key Office Supply	Ink cartridges	129.96

<u>ECONOMIC DEVELOPMENT</u>		
AT&T	Phone	76.64
Embarq	Phone	184.44
Business Card	Meals/meeting refreshments-68.77	
	Meeting refreshments-37.60	
	Shipping-10.79	
	Fees-10.11	127.27
Magi Van Eps	Mileage-2.02	
	Meeting refreshments-28.05	30.07
Carpet House	Vinyl	1,114.00

<u>COOPERATIVE EXTENSION OFFICE</u>		
Embarq	Phone	93.90

Treasurer, Virginia Tech	Local support	13,542.03
	<u>DEBT SERVICE</u>	
Rural Development	Courthouse loan	16,626.00
	<u>LANDFILL FUND</u>	
Precision Geosynthetic	Geotechnical testing-330.00	
	Geotechnical shipping-144.98	474.98
Dominion Virginia Power	Relocate power pole	4,566.68
	<u>RETIREMENT BENEFIT FUND</u>	
Vicki K. Johns	Retiree benefit	959.00
Anthem BCBS	Retiree health insurance	1,616.00
	<u>REVENUE SHARING FUND – VDOT</u>	
Draper Aden Associates	Via Sacra	2,550.00
	<u>PIEDMONT COURT SERVICES</u>	
Dominion Virginia Power	Electric service	205.00
U. S. Postal Service	Postcards	145.00
AT&T	Phone	337.43
Embarq	Phone	230.45
Career Track	Registration	84.00
CCELC/TEC	Training	110.00
DeWindt Innovations	Pre-install prep-350.00	
	Site survey-200.00	
	Install software-350.00	900.00
Farmville Volunteer Fire Department	Refill extinguishers	91.00
Sam's Club	Office supplies	115.97
Virginia Correctional Enterprise	Pad holder	8.01
PAS Systems	Calibration/fan motor	70.77
	<u>PCS SUPERVISION FEES EXPENDITURES</u>	
SRP Corporation, LLC	Rent	1,883.00
Page Hardy	Cleaning service	130.00
	<u>PCS DRUG TESTING FEES</u>	
Kroll Laboratory	Drug testing	31.14
	<u>ADDENDUM BILL LIST</u>	
	<u>BOARD OF SUPERVISORS</u>	
Longwood University	Facility rent/parking	950.00
Pearson Equipment Company	Safety harness/lanyard-147.00	
	Scaffolding-59.00	206.00
Sherwin Williams Company	Paint for bell tower	280.67
Farmville Herald	Advertising	351.01
Howard F. Simpson	Mileage	182.81
	<u>COUNTY ADMINISTRATOR</u>	
AtWork Personnel Services	Clerical support	478.00

U. S. Postal Service	Postage	110.00
Moonstar BBS	DSL-95.00	
	Annual service-200.00	295.00
Sarah E. Puckett	Parking-11.00	
	Meals-6.66	17.66
Town of Farmville	Gas	99.14

COMMISSIONER OF REVENUE

Farmville Herald	Advertising	253.52
Moonstar BBS	Annual service	200.00
Creative Business Solutions	Forms envelopes	225.05
Farmville Printing	Office forms	166.00

ASSESSOR

Wampler-Eanes Appraisal	Property reassessment	19,725.45
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TREASURER

James W. Elliott, Attorney	Advertising	213.00
Moonstar BBS	Annual service	200.00

INFORMATION TECHNOLOGY

Business Data of Virginia, Inc.	Travel expense-375.00	
	Monthly contract-2,800.00	3,175.00
ComputerPlus Sales & Service	Maintenance contract	270.00

CLERK OF THE CIRCUIT COURT

Key Office Supply	Maintenance contract	108.00
Treasurer of Virginia	Computer	1,000.00

COMMONWEALTH'S ATTORNEY

Key Office Supply	Office supplies	1,349.34
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SHERIFF

Commtronics of Virginia	External speaker	189.44
Newman Tire Company, Inc.	Tires	243.66
David Wilmoth	Photo mailer	1.02
Kinex Networking Solutions	DSL/Webhosting-124.85	
	Computer RAM-317.00	441.85
Farmville Printing	Letterhead	80.00
Town of Farmville	Gas	11,143.66
Southern Police Equipment Company	Pepper spray	119.88
Mary Lou's Monogramming	Caps	318.00
USA Mobility Wireless, Inc.	Pager rental	66.55

REGIONAL JAIL & DETENTION

Piedmont Regional Juvenile Detention Center	Juvenile detention	7,875.00
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BUILDING OFFICIAL

U. S. Postal Service	Postage	30.00
Newman Tire Company, Inc.	Tires & inspection	445.52
Town of Farmville	Gas	400.61

ANIMAL CONTROL

Town of Farmville	Gas	1,145.47
Treasurer of Virginia	Necropsy	15.00

	<u>BIOSOLIDS MONITORING</u>	
Manuel H. Toombs, Jr.	Phone-24.67	
	08-09 Internet service-120.00	144.67
Town of Farmville	Gas	564.14
	<u>REFUSE DISPOSAL</u>	
STEPS, Inc.	Recycling fee	916.74
Newman Tire Company, Inc.	Flat repair-67.62	
	Plug tire-7.00	
	Tires-458.00	532.62
Town of Farmville	Gas	2,812.51
	<u>SANDY RIVER RESERVOIR</u>	
Draper Aden Associates	SRR Protection Plan-10,300.00	
	Water Supply Plan-3,125.00	13,425.00
	<u>GENERAL PROPERTIES</u>	
ThyssenKrupp Elevator	Quarterly maintenance contract	1,846.20
Dominion Virginia Power	Industrial park-62.07	
	Lights at Rice-65.91	127.98
Town of Farmville	Water & sewer	182.64
Cintas Corporation #524	Uniform rental	452.20
Farmville Auto Parts	Starter-145.44	
	Battery-89.95	235.39
Taylor-Forbes Equipment Company	Mower parts	4.55
Town of Farmville	Gas	807.83
	<u>CANNERY</u>	
Rod & Staff Welding	Repair pot lids	90.00
	<u>COMPREHENSIVE SERVICES ACT</u>	
Sabur Latrind Abdus	Foster care	465.00
Business Card	Foster care	126.66
Centra Health	Professional services	7,936.00
Cumberland Hospital	Professional services	15,460.50
Elk Hill	Professional services	3,621.31
Heartland Family Counseling	Professional services	2,750.00
Presbyterian Home & Family Services	Foster care	199.50
VSDB	Professional services	2,652.01
Walmart	Foster care	300.19
U. S. Postal Service	Postage	40.00
	<u>PLANNING</u>	
Alecia Daves-Johnson	Postage-4.90	
	Mileage-51.21	56.11
U. S. Postal Service	Postage	160.00
Jonathan Pickett	Mileage	396.83
Town of Farmville	Gas	91.84
Farmville Herald	Advertising	263.25
	<u>ECONOMIC DEVELOPMENT</u>	
Farmville Herald	Advertising	58.50
The Daily Progress	Advertising	712.24
U. S. Postal Service	Postage	660.00

	<u>CAPITAL PROJECTS</u>	
Town of Farmville	Architectural fees	20,007.82
	<u>LANDFILL FUND</u>	
R. M. Soderquist, Inc.	Cell D construction	540,861.03
	<u>PIEDMONT COURT SERVICES</u>	
PBCC	Postage meter lease	202.00
Sheena Franklin	Mileage	192.92
Sharon Gray	Mileage	186.05
Connie Stimpson	Mileage-31.71	
	Office supplies-11.53	43.24
Ashley Hricko	Mileage-138.35	
	Office supplies-14.53	152.88
Brittany Layne	Mileage	220.68
Renee T. Maxey	Mileage-203.43	
	Meals & lodging-324.16	
	Office supplies-382.56	910.15
Rebecca Moss	Mileage	110.25
Bull HN Information System, Inc.	G-Link license	300.00
Farmville Printing	Office supplies	115.60
Getronics	Support license	39.00
Key Office Supply	Office supplies	3,038.16
	<u>PCS SUPERVISION FEES EXPENDITURES</u>	
Connie Stimpson	Mileage	26.87
	<u>PCS DRUG TESTING FEES</u>	
Kroll Laboratory	Drug testing	58.71

In Re: Festival Application

Chairman Fore said a request was submitted for an outdoor Indian Pow-Wow and Western Festival to be held at Heartland Ranch, 9774 Five Forks Road, Farmville, VA, on August 1 through 3, 2008. He said the applicants, George Whitewolf and Rebecca Bryant, covered all the requirements, and staff has confirmed notification to the Fire, Health and Sheriff's Departments, as well as the Prince Edward Volunteer Rescue Squad.

Mr. Moore made a motion to approve the festival application; the motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Highway Matters

Chairman Fore said a VDOT representative was unavailable to attend the meeting, and asked for comments and concerns from the Board members to relay to Mr. Leatherwood, Resident Highway Engineer.

Mr. McKay said work has not yet begun on Slaydon Forest Road, and he understood it was to begin July 1, 2008. He asked for an update on the schedule for this project.

Mr. Moore expressed his thanks for the resurfacing of Route 696 from the church to Green Bay, and asked when a center line will be painted.

Mr. Ward said the Hidden Lake Road project is still on hold due to the lack of Mr. Hockstetter's signature. He said he has spoken to Mr. Hochstetler several times, and isn't sure of the problem.

In Re: Planning Commissioner Attendance

Chairman Fore said the Planning Commission operates in accordance with the Bylaws of Prince Edward County Planning Commission. According to the bylaws, "Members who are absent from three consecutive meetings, or who are absent from more than half of the commission's meetings during a calendar year, will be referred to the Prince Edward County Board of Supervisors for possible replacement." He said one member, Mr. Raymond Ligon, has been absent from more than three consecutive meetings without contact to the office to offer explanation.

Mr. Simpson made a motion to advertise for a replacement Planning Commissioner. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Public Hearing – Voluntary Boundary Adjustment

Chairman Fore introduced Sydnor Newman, Mayor of Farmville; Mr. Newman called the Town Council to order for the joint public hearing on the voluntary boundary adjustment. Town Council members present: Dr. Edward Gordon, Mr. Otto Overton, Mr. Donald Hunter, Mr. Tommy Pairet, Mrs. Sally Thompson, Mr. David Whitus, and Mr. Gerry Spates, Town Manager.

Chairman Fore said that at its June meeting, the Board of Supervisors authorized a joint public hearing with the Farmville Town Council to consider public input on the Boundary Line Adjustment Agreement. He said that in November of 2007, the County received requests from the Town of Farmville for two property boundary adjustments, as follows:

- 67.2 acres of land, owned by Baleigh Commons, LLC, located off Scott Drive – the property is being developed as a residential community consisting of approximately 100 home sites.
- 13.95 acres, part of which is owned by The Woodland, Inc. and part is owned by Mt. Trella Properties, LLC, located on the western end of Town and adjoining the existing Woodland Nursing Home.

Chairman Fore announced this was the date and time scheduled for a joint public hearing on the Voluntary Boundary Adjustments. Notice of this hearing was advertised according to law in the June 27, 2008 and July 4, 2008 issues of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward. The floor was opened for public input.

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

Mr. Jones made a motion to approve the two boundary line adjustments. The motion carried:

Aye:	William G. Fore, Jr.	Nay: None
	Sally W. Gilfillan	
	Robert M. Jones	
	Charles W. McKay	
	James C. Moore	
	Howard F. Simpson	
	Lacy B. Ward	
	Mattie P. Wiley	

Mr. McKay made a motion to authorize the Board of Supervisors to enter into the Boundary Line Adjustment Agreement with the Town of Farmville to jointly seek Circuit Court approval of the Boundary

Adjustment, and file all necessary documents with the Prince Edward County Circuit Court, and that the Chairman is authorized to sign all necessary documents. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Public Hearing – Special Use Permit – Operate a RV Campground

Chairman Fore announced this was the date and time scheduled for a public hearing on the Special Use Permit request of Stanley Lyles to operate a RV campground on Landing Road (Rt. 701) near Briery Creek Lake. He said the Planning Commission held a public hearing on June 17, 2008, and offers no recommendation to the Board of Supervisors because of a tie vote. Notice of this hearing was advertised according to law in the June 20, 2008 and June 27, 2008 issues of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Jonathan Pickett, Director of Planning and Community Development, explained that new information was gathered for Board review on the proposed 18-spot RV park since the Planning Commission met. He said concerns from public input at that meeting included visibility of the campground, lowered adjoining property values, noise and light pollution, impacts on shared streams from the trash and sewage handling, traffic impassibility on Landing Road, and campers staying an unlimited amount of time. Mr. Pickett said Paul Freed of the Health Department reviewed the plans and while an application has not yet been submitted to the Health Department, a private soil scientist indicated conditions are suitable for a RV park at the location. Chairman Fore questioned the availability of water and sewage treatment at the site. Mr. Pickett said the sewage would be “pump and haul,” and that there is a 1,500 gallon septic chamber. Mr. Lyles’ contractor said each site would get water as well as clean-out and dumping into the sewage system which will carry it to the tank and back to the drain field approximately 1,000 feet away from the site.

Mrs. Gilfillan asked about the creek along the back of the property. Mr. Pickett said the Health Department felt comfortable with the distance.

Mrs. Gilfillan asked about the curve on the road, and the entrance to the proposed park. Mr. Pickett said there is a commercial entrance currently, and VDOT may require additional work.

Mrs. Gilfillan said she understands this to be a seasonal facility, but there is no limit on the campers' length of stay, adding there is a section in the plans stating "only doublewide but no singlewide trailers permitted." She also said there is no transition between the commercial use and the residential use of the surrounding properties, and questioned the width of the road for vehicles that large.

Mr. Pickett said special use permits allow some small commercial activities in the agricultural zones. He said while the road was not made for RV traffic, the typical RV is approximately 18 feet long and eight and a half feet wide, about the same as a truck with a boat trailer. He said VDOT will ensure enough turning room into the property.

Mrs. Gilfillan said most campgrounds have stores; Mr. Pickett said the RV park is not a campground, and the units are fully contained. He said there is no proposal for any type of store at the facility.

Mr. Jones said the Planning Commission understood the sites locations would be approximately 125 feet from the road, and the paperwork presented states it back to 100 feet from the center of the road; Mr. Pickett said the layout for the field is most likely why it was shortened. He added the property is long and narrow; there is a cell tower behind the proposed park, and scrub cedar behind that.

The floor was opened for public input.

Ed Loughran, Attorney for Mr. Stanley Lyles, said to address the concern of the 100 feet versus 125 feet setback, the site engineer would probably angle the RVs to the road, which would allow greater setback than the 100 feet. He said Mr. Lyles owns approximately 27 acres, and would be using 12 acres of that. He said that in 2000, a campground was approved on Landing Road for 77 sites.

Mr. Loughran said in reference to the 18 sites, the RVs would most likely be Briery Creek patrons. He said that Mr. Lyles currently operates a few cottages seasonally, and all are nicely kept, with no unruly behavior from the patrons. He said the rules and regulations would include "quiet time" from 11:00 p.m. through 7:00 a.m., and there would be dumpsters for trash collection provided by Arena Trucking with pick-up on a weekly or bi-weekly basis. Mr. Loughran said only RVs would be permitted and they are

fully contained with their own bathroom facilities. He said it would be a low-key, 18-site RV facility, and looks to the Board for input on the limitation of length of stay.

Mr. Loughran said the road is approximately 1.2 miles from Route 15 to the boat ramps at Briery Creek. He said he counted 15 driveways along the lightly-traveled road, and saw one vehicle pass by in 10 minutes. He said there were five or six boat trailers at the landing. He said Mr. Lyles is aware of the neighbor's concerns, and Mr. Lyles is willing to have a cypress or other evergreen barrier planted in a staggered fashion to preclude sight issues, adding that the RVs would point away from Route 701. He said the section regarding single- or double-wide trailers should not be included in the documentation.

Michelle Fenton, of 688 Landing Road, said she is a mother of three and is very concerned about the safety of her children. She said having the RV campground is an invitation to strangers into their community, where they currently don't have to worry about drive-bys, pedophiles, or traffic endangering her children.

Shirley Dilts, of 557 Landing Road, said she is against the RV park, and a community is not the place for a park. She asked who will make sure the RVs have working facilities, and is concerned about the RVs becoming permanent homes. She said the rules and regulations presented appear more like a "trailer park" and questioned the use of the term "resident," which means permanent and no limitation of stay. She also questioned vicious dogs being brought into the neighborhood. She said her family moved to the area to enjoy the open space and the wildlife, and is concerned that hunters may endanger her family and neighborhood if the RVs are permitted year-round. She also said the "quiet time" regulation must be included.

James Dilts, of 557 Landing Road, said while Mr. Lyles claims the RV park would benefit the Briery Creek Lake, he has never seen an RV launch a boat. He said the rules and regulations presented appear more like a "trailer park" and said a "resident" means permanent and does not indicate a camper, but someone who intends to stay permanently. Mr. Dilts said zoning requires a certain amount of acreage for each house built, and this would open up 18 residences going in there. He said one of the three rentals Mr. Lyles currently operates has become a permanent residence.

Tawana Lee, of 426 Landing Road, said she is the mother of two and due to her husband being in the military, she is also concerned about her family's safety. She said there are no screening criteria for the RV campers, and the park is not appropriate in a residential area.

Brian Lee said he had the opportunity to visit the site, and his property is 125 feet across the road with full view of his front yard. He said there are currently 20 "911 addresses" on Landing Road, and potentially 18 families would be in the park – 18 strangers with pets, weapons, alcohol, alternative cooking methods, and possibly other recreational vehicles within 125 feet of his front door.

Eva Bland said she is Mr. Lyles' mother, and is in support of Mr. Lyles and the park. She said the RV site would be good for the community and benefit the economy of the area. She said RVs are costly and the people that can afford them would not be the type of people you wouldn't want to be around.

Osa Dowdy, 53 Landing Road, said the RV site should be permitted because there are rules and regulations to follow, and Mr. Lyles would follow the rules. She said he would not have people at his facility that are not law abiding citizens. She said there is a difference between RV camp sites and trailer parks. She said he has 27 acres and is only developing 18. The trailers there are neat, the people renting there are law-abiding. She said this would make Prince Edward County look good and would bring revenue and growth to the County.

Raymond Dowdy said he purchased land at the intersection of Routes 15 and 701 about 16 years ago, and it was very quiet, with no neighbors. Since then, the area has been developed. He said a nursing home was built across from his property 15 years ago, and now at least 25-30 strangers – patients at the nursing home – are there. He said some are Alzheimer's patients, who frequently leave the nursing home grounds and walk up and down the street at all hours of the day and night. He said the patients also wander through the woods, and have knocked on his door. Mr. Dowdy said anyone that can afford a \$200,000 to \$300,000 RV is not the same type of person as campers with pop-up trailers. He said he has looked at the property, and knew about and was involved with the other campground, and said this is better than the one approved in 2000. He added there is truck and boat traffic going to Briery Creek Lake, and the size of the vehicles is not an issue.

Bruce Miley said he lives approximately one-quarter mile from Route 701 on Route 15, and has listened to the complaints. He said he has heard shooting coming from the area, and understands the

security concerns, but recommends anyone that has never been to an RV park should visit one. He said he has camped from 1983 till 1995 and has never seen fights and no one went off their site. He said they need to see what they're talking about and not rely on word of mouth. He said Mr. Lyles deserves the chance to prove that an RV park would be good.

Mr. Loughran said he wished to clarify that the site would be 125 feet from the property line or edge of the road, and then the RV camp would be approximately another 100 feet back from the property line. He said there will also be an impervious buffer of evergreens or whatever is required.

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

Mrs. Wiley made a motion to return the request for the RV park to the Planning Commission for their review of the new information, based on the public input.

Mrs. Gilfillan said she had a number of concerns, including the unlimited length of stay, and the assumption that RVs are all costly, and the commercial enterprise in a residential area. She said the residents must be considered, and asked that the Planning Commission look into these concerns.

Mr. Jones said his concerns were regarding the set-back of the RVs from the road.

Mr. Ward asked if the proposed project violates any laws; Chairman Fore said it does not violate laws or the Comprehensive Plan. He said there is a risk if no time limit is set on the length of stay, and the vehicles could turn it into a "trailer-like" park with 18 vehicles year-round.

Mr. Simpson stressed the need of specifics for a conditional use permit.

Mr. Moore said the Planning Commission should review it first and make their recommendations to the Board. He added he would like the County Attorney to review the recommendations and the rules and regulations. He said projects were approved before, and the Board must be fair to all. He then called for the motion.

The motion to return the request for the RV park to the Planning Commission for their review of the new information carried unanimously:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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The Board of Supervisors took a brief recess at this time.

In Re: Public Hearing – Amendments to the Comprehensive Plan

Chairman Fore announced this was the date and time scheduled for a public hearing on the Amendments to the Comprehensive Plan relating to public service authorities and the future vehicular entrance to Hampden-Sydney College. Notice of this hearing was advertised according to law in the June 20, 2008 and June 27, 2008 issues of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward. He said the Planning Commission held a public hearing on June 17, 2008. No public comments were received and following the hearing, the Planning Commission voted to recommend approval of the amendments to the Comprehensive Plan.

Chairman Fore opened the floor for public input.

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

Mr. McKay made a motion to approve the proposed amendments to the Comprehensive Plan, as follows. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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The County's Comprehensive Plan is amended as follows:

**Chapter V
Community Facilities and Service**

In the County's efforts to promote economic development.

U.S. Route 15 – This highway is a major two-lane north-south route which goes across the central part of the county. The county's major anticipated growth corridor extends along Route 15 from Farmville to the Hampden-Sydney area. One of the county's long-term goals is to have the route four-laned, especially the section from Route 628 near Farmville to Route 133 at Kingsville, and to re-route the entrance into Hampden-Sydney

College to provide for improved traffic flow. This goal/request is presented to the Commonwealth Transportation Board annually.

U.S. Route 360 – This four-lane highway is located in the southeastern part of the county and serves as the main transportation route between Richmond and Danville. Commercial development along this route in Prince Edward County is limited.

Virginia Route 307 – This two-lane highway serves as a short-cut between U.S. 360 in Amelia County and U.S. 460 at Rice. The road is hilly and receives a great deal of truck traffic.

Virginia Route 45 – Only a small section of this road is actually located in Prince Edward County, all within the Town of Farmville. The highway extends north from Farmville into Cumberland and Goochland counties.

Virginia Route 133 – This road is only 1.2 miles in length, and basically serves as a bypass around the Hampden-Sydney College campus.

Major secondary roads in the county include: Route 665, 696, 658, 630, 628, and 604. Funding for secondary road improvements is allocated to Prince Edward County on the basis of a six-year funding plan proposed jointly by VDOT and the County.

Current FY 05-06 funding for County secondary improvements is approximately \$837,000 with projected five year funding at 4.4 million dollars. Most projects in the six year plan are minor road enhancements. The six-year plan contains no new highway segment, or new major road improvements.

Collected sewage is treated at the town's treatment facility located along the Appomattox River.

The Town of Pamplin, a small portion of which is located in Prince Edward County, is presently developing a public sewer system. The proposed plant with an initial capacity of 28,000 gallons per day, as well as a mass drainfield, will be located in Prince Edward County. Initially, plans call for only town residents to be served, but some out-of-town service may occur in the future.

Water

Public water service is also available throughout the town of Farmville, in nearby County subdivisions, at the County school complex, at the Prince Edward County Industrial Park and in the town of Pamplin. Public water lines do not extend to the Hampden-Sydney campus. Water service at the campus is provided by a self-contained public water system. Water treatment is provided by the Town of Farmville's water treatment plant located on the Appomattox River. The exception to this is the Town of Pamplin, which is served by a public well system. Map 2 also shows the general location of areas served by public water systems.

The Sandy River Reservoir, developed by the County in 1995 is a future source of water for the County. The county has received a withdrawal permit from the Department of Environmental Quality, which will allow for the withdrawal of up to six million gallons per day, thus provide for the county's long term water needs. Studies are currently underway to ascertain the most feasible way for this water to be treated and distributed to county residents and businesses. Options include the transmission of raw bulk water to

Farmville for treatment, or the construction of a new water treatment facility at the reservoir. Treatment and distribution of the water from the reservoir site would provide public water service, and growth potential to an area of the County not currently served by these facilities.

Chapter VIII

Goals, Objectives, and Strategies

V. Public Service Authority

Due to anticipated future growth, the county is studying the establishment of a public service authority to primarily oversee the development and operation of water and sewer facilities in the county. Initial discussions have been held with Hampden-Sydney College and the Town of Farmville, concerning this proposal, and other neighboring localities may also be approached.

VI. Public Facilities and Services

Goal: To increase the quality of life in the County through the provision of a wide range of high quality public facilities and services that are easily accessible to all citizens.

Objective #1:

Provide adequate government facilities to accommodate the expanding service needs of citizens.

Strategies:

Prepare and adopt, on an annual basis, a five-year capital improvement program that identifies public facility needs and anticipated costs and recommends public and private funding strategies.

As part of an annual capital improvements program consider the needs for expanded public water and sewer services within the County, including a water line extension to Hampden-Sydney.

Continue to study the use of the Sandy River Reservoir as a public water supply, and options for the transmission and treatment of this water.

Consider the establishment of a public service authority to oversee the development and operation of public water and sewer facilities in the county.

Maximize service efficiencies to County citizens by coordinating the physical facility needs of governmental agencies with those of non-governmental providers.

Advise the schools board of County growth and development trends on an annual basis and solicit the school board's comments on any residential rezoning request.

Work cooperatively with the school board on planning the location of any new public schools in the County.

In Re: Interim Erosion and Sedimentation Control Services

Mr. Pickett said that Alecia Daves-Johnson will soon be going on maternity leave, which means the county will need to secure erosion and sedimentation control services from another entity until she returns. He said services required are plan reviews and site inspections. He said staff has been in contact with the Piedmont Soil and Water Conservation District, and Appomattox and Nottoway Counties about contracting for these services on a temporary basis. Mr. Pickett said Appomattox and Nottoway Counties share a certified plan reviewer and inspector, and offer a better financial proposal than the Piedmont Soil and Water Conservation District. He said the cost would be approximately \$24 per hour and would include plan review as well as inspection services; the certified inspector would use the county vehicle. He said after Mrs. Daves-Johnson returns, further discussion may be necessary to provide assistance for her, as single-family home sites must now be inspected.

Mr. Moore made a motion to authorize the County Administrator to enter into an interim agreement with Appomattox and Nottoway Counties to provide the plan review and inspection services.

The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Resolution – Regional Interoperability Grant

Mr. Pickett said over the past several months, Prince Edward County has been working with the counties of Charlotte, Lunenburg, Halifax and Mecklenburg on a grant application which would fund the purchase of radio equipment. This equipment would be interoperable, meaning first responders in each of the counties could communicate with each other during a major emergency. The Virginia Information Technology Agency has approved the grant in the amount of \$1,950,000. He said a workgroup from the five counties has decided to split the grants funds equally, meaning each county will receive \$390,000. He said there is a 20% local match, some of which can be in-kind. Mr. Pickett said the maximum amount of local cash funds needed from the county would be \$78,000. He said Charlotte County has agreed to be the

fiscal agent for the grant. He added this grant will allow the counties to equip their fire, rescue and law enforcement agencies with the most modern radio equipment available, and may provide a radio system for schools and the Farmville Bus.

Chairman Fore was concerned that the radio equipment purchased separately by each county would be compatible between counties. Mr. Pickett said technology experts are involved and the counties are working with VITA on the type of equipment to ensure it will all be compatible. He said the end goal is to have statewide and nationwide compatibility.

Mr. McKay asked if it would be more economical to purchase all of the equipment together; Mr. Pickett said he was checking into that.

After some further discussion, Mr. Jones made a motion to approve the Resolution in Support for a Regional Homeland Security public Safety Interoperable Communications Grant. The motion carried unanimously:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay:	None
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**A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA**

**Support for a Regional Homeland Security
Public Safety Interoperable Communications Grant**

WHEREAS, the Counties of Charlotte, Lunenburg, Mecklenburg, Prince Edward and Halifax have formed a Regional Interoperability Solutions Team consisting of a diverse representation from Local Government, Emergency Services, Law Enforcement, Fire and Rescue, and other communication sectors throughout the region; and

WHEREAS, the Counties are rural and economically challenged; and

WHEREAS, these Counties have identified their inability to communicate regionally, which causes a public safety concern that affects all emergency responders; and

WHEREAS, regional participation will enhance public safety communications during catastrophic events and will identify other communication barriers; and

WHEREAS, the Region is striving to fund a communications system with the safety of its citizens of utmost importance; and

WHEREAS, the goal of the Counties is to emulate those listed in the Virginia Plan for Communications; and

WHEREAS, this project will allow the Region to communicate through a common language and standard protocol in times of catastrophic events and other life-threatening emergencies without interruption of service; and

WHEREAS, total funding for this project is \$1,950,000;

NOW, THEREFORE, BE IT RESOLVED, that the Prince Edward Board of Supervisors hereby authorizes Charlotte County to act as Fiscal Agent and Project Director for the Regional Homeland Security Public Safety Interoperable Communications Grant, and authorizes Russell B. Clark, County Administrator, Norma T. Tuck, Charlotte County Finance Director, and Susan M. Adams, Charlotte County Deputy County Administrator to execute all grant related documents.

In Re: Request for CRC Assistance from Moton Museum

The R. R. Moton Museum submitted a request seeking grant writing assistance from the Commonwealth Regional Council. At the County's request, the Commonwealth Regional Council has provided similar assistance to the Moton Museum in the past. The cost of this assistance has historically been an allowable grant expense or is borne by the Museum; there is no cost to the County.

On motion of Mr. Moore and adopted by the following vote:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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the Prince Edward County Board of Supervisors approved the grant writing assistance from the Commonwealth Regional Council to the Moton Museum, without the Museum being required to request Board approval for each specific grant project, provided that it requires no county funds; and authorized the County Administrator and/or the Economic Development Director to assist the Museum with letters of support for grant applications, if requested.

In Re: Crossroads Performance Contract

Chairman Fore said it is necessary for the Board of Supervisors to annually approve the Crossroads Performance Contract.

Mr. Moore made a motion to approve the FY 2009 Crossroads Performance Contract as presented.

The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Public Private Education Facilities and Infrastructure Act

Wade Bartlett, County Administrator, said the Board has previously discussed the Public-Private Education Facilities and Infrastructure Act of 2002 (the "PPEA") which grants responsible public entities the authority to create public-private partnerships for the development of a wide range of projects for public use, if the public entities determine there is a need for the project and that private involvement may provide the project to the public in a timely or cost-effective fashion. He said the detailed summary of the Act follows state guidelines and ordinances, and there is a new program with significant changes which allow companies to make unsolicited proposals for certain infrastructure: schools, water, sewer, courthouses. He said the County can review the proposals, and then bid out the project. Mr. Bartlett said it helps streamline some processes to build the infrastructure, and it would still be necessary to follow the same course of any proposal. He said it doesn't circumvent any procurement rules, and it would encourage partnerships between private and public sectors.

On motion of Mrs. Gilfillan and carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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the Board approved the Resolution of Public-Private Education Facilities and Infrastructure Act of 2002, and authorized the County Administrator as PPEA point of contact.

**A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA**

**Public-Private Education Facilities and
Infrastructure Act of 2002**

WHEREAS, the Virginia General Assembly has enacted Title 56, Chapter 22.1 of the *Code of Virginia*, the *Public Private Education Facilities and Infrastructure Act of 2002*, as amended; and

WHEREAS, in doing so, the Virginia General Assembly recognized the need to provide alternatives in the procurement of public infrastructure and government facilities within the Commonwealth that serve a public need and purpose; and

WHEREAS, the *Act* requires a local government to adopt implementing procedures before it can consider proposals under the *Act*; and

WHEREAS, the County of Prince Edward recognizes that proposals submitted in accordance with the *Act* may offer innovative solutions, enhanced delivery and cost-effective alternatives;

NOW, THEREFORE, BE IT RESOLVED, that the County of Prince Edward Guidelines and Procedures for the implementation of the *Public-Private Education Facilities and Infrastructure Act of 2002*, as amended, is hereby adopted by the Board of Supervisors of the County of Prince Edward, effective immediately; and

BE IT RESOLVED FURTHER, that the Board of Supervisors of the County of Prince Edward, Virginia, hereby appoints the County Administrator to be the County's PPEA Officer.

In Re: Resolution of Aid to the Commonwealth

Mr. Bartlett said the General Assembly cut \$100 million in funding to local governments. He said the State identified 15-20 programs that could be cut or reduced. He said local governments have three options to take the cut. Options include identifying specific programs to cut, or the state would send the money to the locality and the locality would send a check back, which is called Local Aid to the Commonwealth. He said there is no mechanism for the state to give it back to the local governments at this time, and said Prince Edward County's funding is approximately \$158,000.

Mr. Bartlett said that in June, VML and VACo met with city and county representatives to discuss issues with the across-the-board cuts to cities and counties included in the 2008-2010 state Appropriation Act. VML and VACo urge cities and counties to consider adoption of the Resolution of Local Aid to the Commonwealth.

Mr. Jones asked if the funding could be returned to the locality. Mr. Bartlett said it is not in the General Assembly's budget. Mrs. Gilfillan voiced her concern that this could become a permanent yearly occurrence. Mr. Bartlett said that in 2003, the constitutional officers' budgets were cut; some has been returned, but not all. He said each constitutional office has been treated differently. This will define how the County is to handle the cuts and report in the audits, and is an obligation of the state that they are passing down to the local governments.

Mrs. Gilfillan asked if VACo recommends it be handled this way to remind the state that the state is mandating these different things and now they're cutting funding. She said if governments identify specific programs, the state could later deny funding those programs in the future as the local governments did not need the programs.

Mrs. Gilfillan then made a motion to adopt the Resolution of Local Aid to the Commonwealth; the motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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**A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA**

Local Aid to the Commonwealth

WHEREAS, the General Assembly chose to respond to shrinking revenue growth by shifting to local governments the responsibility for reducing \$100.0 million of core services; and

WHEREAS, the Governor signed into law this \$100.0 million appropriation reduction for local governments in the 2008-2010 biennium without identifying the programs to be reduced; and

WHEREAS, these reductions are in addition to those made by the General Assembly and approved by the Governor affecting law enforcement, elementary and secondary education, profits from the Alcoholic Beverage Control Enterprise Fund and distributions of wine liter tax collections, constitutional offices, the upgrade of wastewater treatment facilities in conformance with water quality standards and goals, and farmland preservation to name but a few; and

WHEREAS, the \$100.0 million reduction will likely be carried forward into future biennia forcing city and county governments to choose between raising taxes or reducing services;

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors of the County of Prince Edward does hereby support the recording of this intergovernmental revenue reduction from the Commonwealth as **Local Aid to the Commonwealth**; and

BE IT FURTHER RESOLVED THAT, this recording on all financial records shall be shared with the County's delegation in the Virginia General Assembly, the Governor and local news media so that citizens understand that decisions made by this governing body are in response to the Commonwealth's choice to delegate their constitutional obligation to local governments.

In Re: County Attorney's Report

Mr. James Ennis, County Attorney, said the Animal Control Ordinance requires an amendment to keep it in compliance with the *Code of Virginia*, as follows:

ANIMALS : DIVISION 6. DANGEROUS AND VICIOUS DOGS
Additional Text In Bold

SECTION 10-100. CONTROL OF DANGEROUS OR VICIOUS DOGS; PENALTIES.

(a) 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.***

Mr. Ennis said the Commissioner of Revenue requested an amendment to the Special Assessment for Land Preservation Ordinance in order to assess an application fee when property ownership changes; the amendment is as follows:

SPECIAL ASSESSMENT FOR LAND PRESERVATION ORDINANCE
Additional Text In Bold

Section 70-37 APPLICATION FEES

(a) A fee of fifty dollars (\$50.00) per parcel shall be required for each application, plus \$5.00 for each additional application.

(b) An additional fee of \$10.00 shall be required for each application filed after the filing deadline.

(c) A new application fee shall be required when ownership of a parcel changes.

Mr. Ennis said the Commissioner of Revenue requested an amendment to Article I, Section 70-1 regarding the due date of returns; the requested amendment is as follows:

TAXATION: ARTICLE I: IN GENERAL
Additional Text In Bold

Section 70-1. DUE DATE OF RETURNS; PENALTY.

(a) In accordance with Code of Virginia, § 58.1-3916, which authorizes the governing body of any county to provide by ordinance the time for filing annual returns of taxable tangible personal property, machinery and tools, and merchants' capital, the board of supervisors directs that annual returns of tangible personal property, machinery and tools, and merchants' capital shall be due on May 1 of each year. ***The Commissioner of Revenue, at his or her discretion, may grant an extension of the time to file the annual return; such extension shall not exceed sixty (60) days.***

(b) It shall be unlawful for any person to willfully fail or refuse to file such returns at the time required herein or for making false statements in such returns with the intent to defraud.

(c) Any person who shall violate subsection (b) of this ordinance and the amount of the tax lawfully assessed in connection with the return is \$1,000.00 or less shall be guilty of a class 3 misdemeanor and shall be subject to a fine of up to \$500.00. Any person who shall violate subsection (b) of this section and the amount of the tax lawfully assessed in connection with the return is more than \$1,000.00 shall be guilty of a class 1 misdemeanor and shall be subject to a fine of up to \$2,500.00 and up to 12 months imprisonment, either or both.

Mr. Ennis said an amendment is necessary to the Traffic and Vehicles Ordinance: Division 3. County Decal, in order to discontinue the required issuance of county decals, as follows:

Repeal The Following

~~TRAFFIC AND VEHICLES: DIVISION 3. COUNTY DECAL~~

~~SECTION 74-71. PROVIDED:~~

~~1. The county treasurer shall provide annually a sticker or stamp of specific color and design to prove display payment of the annual license tax.~~

~~SECTION 74-72. FREE COUNTY DECAL FOR FORMER PRISONERS OF WAR:~~

~~The county treasurer is authorized to issue a free county decal to individuals whose vehicle displays a prisoner of war state license plate.~~

~~SECTION 74-73. FEE FOR DUPLICATE COUNTY DECAL:~~

~~The treasurer shall issue for the fee of \$2.00 a duplicate decal to the owner when the old decal or a substantial part thereof sufficient for identification or an affidavit stating that the decal has been lost or destroyed and is not being used on any vehicle in the county is delivered to the treasurer.~~

~~SECTIONS 74-74. REFUND UPON RETURN OF COUNTY DECAL:~~

~~The county treasurer shall refund half the total cost of a county decal if the decal is returned for a rebate on or before September 30 in any given year.~~

Mr. Ennis said the Traffic and Vehicles Ordinance concerns the ability of the County to regulate parking on county roads, county property and school property, and allows for the enforcement of parking regulations and issuance of citations. He said the amendment includes an enforcement provision for the General District Court to be used to collect unpaid fines. He said this ordinance would apply to every county road with the exception of Route 360 and Route 460. The necessary amendment is as follows:

Chapter 74

TRAFFIC AND VEHICLES

Article I. Traffic

Article II. Vehicle Licenses

Article III. Stopping, Standing and Parking

- | | |
|-------------|---|
| Sec. 74-101 | Penalty. |
| Sec. 74-102 | Designation of limited or prohibited parking areas. |
| Sec. 74-103 | Stopping, standing or parking prohibited in specified places; towing of vehicles. |
| Sec. 74-104 | Parking unlicensed vehicle. |
| Sec. 74-105 | Angle parking. |

Sec. 74-106	Parking on private property.
Sec. 74-107	Use of loading zones.
Sec. 74-108	Use of bus stops and taxicab stands.
Sec. 74-109	Parking in alleys.
Sec. 74-110	Removal and disposition of vehicles unlawfully parked on private property.
Sec. 74-111	Citations and fines; issuance of summons.
Sec. 74-112	Presumption as to responsibility for violation.

Sec. 74-101 Penalty.

Unless another penalty is imposed pursuant to Section 74-111 or is otherwise provided by law, every person convicted of a violation of any of the provisions of this article shall be guilty of a traffic infraction and punishable as provided in Section 46.2-113 of the Code of Virginia, 1950, as amended.

State law references: Definition and scope of traffic infractions, Code of Virginia, §§ 46.2-100, 46.2-937, 18.2-8.

Sec. 74-102 Designation of limited or prohibited parking areas.

(a) Notwithstanding any other provisions of this chapter, the county administrator or his duly authorized representative is hereby authorized, when in his judgment it is in the public interest so to do, to set apart on any of the highways of the county spaces for loading and unloading merchandise, bus stops, taxi stands and other places in which no general parking shall be permitted; and he is further authorized to set aside spaces in which parking time shall be further limited; provided that signs shall be posted within or near such spaces so as to advise the public of such parking prohibitions or regulations. It shall be unlawful for any person to fail to comply with the requirements of such signs. If any such regulation concerns parking on the interstate system or the arterial network of the primary system or any extension thereof of the arterial network, it shall be subject to the approval of the state highway commissioner.

(b) Notwithstanding any other provisions of this chapter, upon request of the governing body of any political subdivision owning property in the county, the county administrator or his duly authorized representative is hereby authorized, when in his judgment it is in the public interest so to do, to set apart areas on any of the streets or roads within such property, regardless of whether such streets or roads are part of the county road system, expressly for loading and unloading merchandise, bus stops, taxi stands and any other places in which no general parking shall be permitted; and he is further authorized to designate areas on such properties as the exclusive and only areas within which the designated activity is permitted on the property; and he is further authorized to set aside spaces in which parking time shall be further limited; provided that signs shall be posted within or near such spaces so as to advise the public of such parking prohibitions or regulations. It shall be unlawful for any person to fail to comply with the requirements of such signs.

State law references: Authority to regulate parking, Code of Virginia, §§ 46.2-1220, 46.2-1221.

Sec. 74-103 Stopping, standing or parking prohibited in specified places; towing of vehicles.

(a) It shall be unlawful for any person to stop, stand or park a vehicle, except in compliance with the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within 15 feet of a fire hydrant.
- (5) In a crosswalk.
- (6) Within 20 feet from the intersection of curblines or, if none, then within 15 feet of the intersection of property lines at an intersection of highways.
- (7) Within 50 feet of the nearest rail of a railroad grade crossing.
- (8) Within 15 feet of the driveway entrance to any fire station or within 15 feet of the entrance to a building housing rescue squad equipment or ambulances, provided that such buildings are plainly designated.
- (9) Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic.
- (10) On the roadway side of any vehicle parked at the edge of the curb of a roadway.
- (11) Upon any bridge or other elevated structure upon a roadway or highway, or within a tunnel.
- (12) At any place where official signs prohibit parking.

(b) Police officers may move a vehicle out of a prohibited area or away from a curb or start or cause to be started the motor of any motor vehicle in order to move it when necessary in the performance of their duties.

(c) When any vehicle is stopped, standing or parked on any highway and constitutes a hazard to traffic or is in violation of any of the provisions of this article, it shall be lawful for a police officer to have it removed by towing the vehicle to a licensed garage for storage until called for by the owner or his agent. In the event of such removal and storage, the owner of the vehicle shall be chargeable with and such vehicle may be held for a reasonable charge for its removal and storage.

(d) This section shall not apply to police vehicles, fire vehicles, rescue vehicles or ambulances temporarily parked due to an emergency.

State law references: Parking in certain places, Code of Virginia, § 46.2-1239.

Sec. 74-104 Parking unlicensed vehicle.

It shall be unlawful to park any vehicle not having a current state license, and a current county license as required by the provisions of Article II of this chapter, on any highway, roadway or public alley in the county.

State law references: Authority to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 74-105 Angle parking.

(a) Notwithstanding any of the provisions of this chapter, the county administrator or his duly authorized representative may, when in his discretion the public interest so requires, provide for angle parking on any street or portion thereof, provided that such streets are marked so as to advise the public of the regulation.

(b) Unless the markings required in subsection (a) of this section are installed, it shall be unlawful for any person to park any motor vehicle or other automotive equipment other than parallel to the curb or edge of the roadway.

(c) The provisions of this section shall not apply to motorcycles when parked with the rear wheel next to the curb or edge of roadway in a manner that does not obstruct moving traffic.

State law references: Authority to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 74-106 Parking on private property.

No person shall stand or park a vehicle on any private lot or lot area without the express or implied consent of the owner thereof. Whenever signs or markings have been erected on any lot or lot area contiguous or adjacent to a highway, street or alley stating no vehicles are permitted to stand or park thereon, it shall be unlawful for any person to drive a vehicle across any curb or lot line or over any driveway from a highway, street or alley into such lot or area for the purpose of standing or parking such vehicle, or for any person to stop, stand or park any vehicle in such lot or lot area.

State law references: Authority to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 74-107 Use of loading zones.

Where a loading or unloading zone has been set apart by the county administrator or his duly authorized representative in accordance with applicable provisions of this chapter, the following regulations shall apply with respect to the use of such areas:

(1) No person shall stop, stand or park a vehicle for any purpose or length of time, other than for the expeditious unloading and delivery or pickup and loading of materials, in any place marked as a curb loading zone during hours when the provisions applicable to such zones are in effect. All delivery vehicles, other than regular delivery trucks using such loading zones, shall be identified by the owner's or company's name in letters at least three inches high on both sides of the vehicle.

(2) The driver of a passenger vehicle may stop temporarily in a space marked as a curb loading zone for the purpose of and while actively engaged in loading or unloading passengers or bundles when such stopping does not interfere with any vehicle used for the transportation of materials which is waiting to enter or is about to enter such loading space.

State law references: Authority to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 74-108 Use of bus stops and taxicab stands.

When a bus stop or taxicab stand has been set apart by the county administrator or his duly authorized representative in accordance with the applicable provisions of this chapter, no person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when such stop or stand has been officially designated and identified with approved signs; except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actively engaged in the expeditious loading or unloading of passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone. No taxicab shall be parked in a taxicab stand and no bus shall be parked in a bus stop without an operator in immediate attendance of the vehicle.

State law references: Authority to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 74-109 Parking in alleys.

No person shall park a motor vehicle, trailer or semitrailer in such a manner as to leave available less than ten feet of the width of an alley for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within a public or private alley in such a position as to block the driveway, garage or any other type entrance to any

abutting property where the owner of such abutting property has the right to use such alley as a means of access to and from a highway and cannot physically enter his property due to the parked vehicle.

State law references: Authority to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 74-110 Removal and disposition of vehicles unlawfully parked on private property.

It shall be lawful for any owner, operator or lessee of any parking lot or parking area or space therein or part thereof or any lot or building, publicly owned, to have any motor vehicle or other vehicle occupying such lot, area, space or building or part thereof without the permission of such owner, operator, lessee or authorized agent of the one having the control of such premises removed, by towing or otherwise, to a licensed garage for storage until called for by the owner of the vehicle or his agent. Notice of such action shall be first or simultaneously given to the state department of motor vehicles and the division of police. In the event of such removal and storage, the owner of the vehicle involved shall be chargeable with and such vehicle may be held for a reasonable charge for its removal and storage. This section shall not apply police vehicles, fire vehicles, rescue vehicles or ambulances or where a vehicle shall, because of wreck or other emergency, be parked or left temporarily upon the property of another.

State law references: Authority to remove unattended, etc., vehicles, Code of Virginia, §§ 46.2-1213, 46.2-1232.

Sec. 74-111 Citations and fines; issuance of summons.

(a) *Issuance of citation.* Whenever any motor vehicle, trailer or semitrailer without a driver is found parked or stopped in violation of any of the restrictions imposed by this article, the sworn officer having police powers finding such vehicle shall record the vehicle registration number and may take any other information displayed on the vehicle which may identify its user. The officer shall conspicuously affix to such vehicle a traffic citation provided by the Sheriff and approved by the county administrator. The affixing of the citation shall constitute prima facie evidence that the owner or operator received notice of the violation. The citation shall notify such person that he must either pay a fine for the violation in accordance with the schedule contained in subsection (d) of this section, or appear before the county general district court in accordance with the time scheduled by the chief judge of such court. The citation shall further notify such person that the fine may be paid in cash, by money order or check to the county treasurer, in person or by mail, at his office within five calendar days from the date of the violation. The citation shall further notify such person that, if he pays such fine as provided in this section, no further action shall be taken against him for the violation set forth in the citation.

(b) *Notice before issuance of summons.* In response to a citation, if such person does not either pay the applicable fine or contest the citation as provided in this section, then the citation shall be considered delinquent. No summons shall be issued for the prosecution of a delinquent citation until the county administrator shall send to the owner of the motor vehicle, trailer or semitrailer to which the traffic citation was affixed a notification by certified mail to his last known address or to the address shown for such person on the records of the State Department of Motor Vehicles. The notice to the violator shall be contained in an envelope bearing the words "Law Enforcement Notice" at least one-half inch in height on the face thereof. The notice sent by the county administrator to the violator pursuant to this subsection shall inform such violator that he

must pay the fine plus penalty, as described in subsection (e) of this section, to the county treasurer.

(c) *Issuance of summons.* If the notice is mailed and the fine plus penalty is not paid within ten calendar days from the date of such notice, then the county administrator shall cause a summons to be issued charging a violation of this article. The officer issuing the citation shall be notified by the county administrator that a summons has been issued.

(d) *Amount of fine when paid before notice.* Every person charged with violating a provision of this article shall pay to the county treasurer a fine according to the following schedule, provided, however, that payment is received by the treasurer before the notice described in subsection (b) of this section is mailed:

- Exceeding the time limit . . . \$ 20.00
- Parking on an angle (parallel prescribed) . . . 20.00
- Parking away from the curb . . . 20.00
- Parking in a crosswalk area . . . 20.00
- Parking in a loading zone . . . 20.00
- Parking in a bus zone or cab stand . . . 20.00
- Parking within 15 feet of an intersection . . . 20.00
- Parking or stopping on the wrong side of the street . . . 10.00
- Blocking a driveway . . . 20.00
- Parking within 15 feet of a fire hydrant . . . 20.00
- Parking within 15 feet of an entrance to a fire station or rescue squad building . . . 20.00
- Parking in vicinity of an emergency in such a manner as to interfere . . . 50.00
- Creating a traffic hazard . . . 20.00
- Double parking . . . 20.00
- Parking on a public sidewalk . . . 20.00
- Stopping, standing or parking in a prohibited zone . . . 50.00
- Parking in a space reserved for the handicapped . . . 100.00
- Blocking an alley . . . 20.00
- Parking in a prohibited alley . . . 20.00
- Blocking a fire lane . . . 50.00

(e) *Payment of fine after notice and before summons.* After a notice is mailed, but before a summons is issued, every person charged with violating a provision of this article shall pay to the county treasurer the applicable fine listed in subsection (d) of this section plus a penalty according to the following schedule:

TABLE INSET:

Fine	Penalty	Total
\$10.00	\$10.00	\$20.00
\$20.00	\$20.00	\$40.00
\$50.00	\$50.00	\$100.00
\$100.00	\$100.00	\$200.00

(f) *Contest of citation.* Every person charged with a violation of any provision of this article may, before the citation is considered delinquent as defined in subsection (b) of this section, elect to contest the charge by filing a written protest with the county administrator. Such protest shall identify the charge by citation number and date of issuance. The protest shall be signed by the person charged and shall request that the citation be certified to the general district court. The county administrator shall certify to the general district court in writing, on an appropriate form, the fact that the citation is

contested. In both contested and uncontested cases, the defendant, if found guilty, shall pay court costs in addition to any fine imposed upon him.

State law references: Authority to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 74-112 Presumption as to responsibility for violation.

In any prosecution charging a violation of this article, proof that the vehicle described in the complaint, citation, summons or warrant was parked in violation of this article, together with proof that the defendant was at the time the registered owner of the vehicle, as required by Code of Virginia, tit. 46.2, ch. 6, shall constitute in evidence a prima facie presumption that such registered owner of the vehicle was the person who committed such violation.

State law references: Authority, Code of Virginia, §§ 46.2-1220, 46.2-1221.

Mrs. Wiley made a motion to authorize advertising Public Hearings at the August Board meeting for amendments to the County's Animal Control Ordinance; Taxation Ordinance, General; Taxation Ordinance, Special Assessment for Land Preservation Ordinance; Traffic and Vehicles, County Decal; and Traffic and Vehicles Ordinance. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: County Administrator's Report

Mr. Bartlett said the approval from the State Corporation Commission has been received for the Articles of Incorporation of the Virginia's Heartland Water and Sewer Authority. He said the next step for the Authority is to set a date for the organizational meeting. He said he has been in contact with several surrounding jurisdictions who have expressed an interest in joining with the Regional Authority.

After some discussion, the initial meeting for the Heartland Water and Sewer Authority will be held Tuesday, July 22, 2008 at 5:30 p.m. After that, Authority meetings will be held on the fourth Tuesday of each month at 5:30 p.m.

Mr. Ward said he still has a concern about the two expenditures for water with Hampden-Sydney, and the letter from Mr. Ennis to The Manor. He requested a comprehensive briefing on the engineering services being provided. Some discussion followed.

Mr. Jones said the County is trying to develop the Sandy River Reservoir, but a water source cannot be developed without customers to purchase the water and sewer services. He said until the county is able to supply the water from the reservoir, the supply can come from wells. He said the lines in Hampden-Sydney can be used to get water from Hampden-Sydney until the County can supply water to Hampden-Sydney. He said the engineering is necessary, and the money is being spent on those services.

Mr. Bartlett said a chronological briefing will be provided so the Authority board will understand all of the actions taken to this point.

Mr. Bartlett said the County, through Davenport & Company, has solicited bids for the refinancing of three bonds. He said the responses received would not justify refinancing at this time, and he recommended the County wait for a more favorable economic climate.

Mr. Jones made a motion to reject all bids received; the motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Light of Reconciliation Committee Report

Mrs. Wiley was pleased to report the project is progressing well. She thanked the Committee and the staff for all their time and effort thus far. Mrs. Wiley said, “In the board packet is a resolution that was drafted by the committee; Sally Gilfillan, Howard Simpson and myself as the Board members on this committee. And I would like to offer up an amendment to that resolution based on conversations we’ve received. We recognize that while we as individuals each have our own feelings of sorrow for the school – the closing of the schools and that we collectively as a governing body may not feel entitled to apologize for the decision made by previous boards, therefore we would like to recommend adoption by the Board of the amended resolution and I will make that – make this recommendation in the form of a motion.”

[The following italicized text has been added as a correction to the minutes per action at the August 12, 2008 Board of Supervisors meeting:]

The portion of the original resolution under discussion is as follows:

***NOW, THEREFORE BE IT RESOLVED**, that we, the undersigned members of the Prince Edward County Board of Supervisors, believe that the closing of public schools in our county from 1959 to 1964 was wrong, and we grieve for the way lives were forever changed, for the pain that was caused, and for how those locked doors shuttered opportunities and barricaded the dreams our children had for their own lifetimes; and for all wounds known and unknown, we do apologize; and*

The amendment to the portion of the proposed resolution is as follows:

***NOW, THEREFORE BE IT RESOLVED**, that we, the undersigned members of the Prince Edward County Board of Supervisors, believe that the closing of public schools in our county from 1959 to 1964 was wrong, and we grieve for the way lives were forever changed, for the pain that was caused, and for how those locked doors shuttered opportunities and barricaded the dreams our children had for their own lifetimes; and for all wounds known and unknown, we regret those past actions; and*

After some discussion on the wording of the resolution, Mrs. Wiley made a motion to amend the original resolution. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Mattie P. Wiley	Nay:	Lacy B. Ward
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**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF PRINCE EDWARD, VIRGINIA**

WHEREAS, on April 23, 1951, students at Robert Russa Moton High School went on strike in protest of separate and unequal schools for African American students in Prince Edward County; and

WHEREAS, these students and their families filed suit against the County to end segregation in public schools; and

WHEREAS, that legal case, *Davis v. Prince Edward County*, was decided on May 17, 1954, when the United States Supreme Court ruled against segregated schools in the United States with the landmark *Brown v. Board of Education* decision; and

WHEREAS, the United States Supreme Court *Brown II* decision on May 31, 1955, orders the pace of integration to occur with “all deliberate speed;” and

WHEREAS, the Commonwealth of Virginia implemented a strategy of “Massive Resistance” to public school integration between 1954 and 1959; and

WHEREAS, in June of 1959, the Prince Edward County Board of Supervisors voted to close the Prince Edward County Public School System rather than operate an integrated public school system by appropriating zero dollars for public education; and

WHEREAS, following four years without public schools, the Prince Edward County Free School system was created in 1963, funded through foundation, corporate and private support, and leasing equipment and buildings from the County; and

WHEREAS, on May 26, 1964, the United States Supreme Court ruling in *Griffin v. County School Board of Prince Edward County* ordered Prince Edward County to reopen its public school system; and

WHEREAS, the Prince Edward County Public Schools were reopened in the fall of 1964; and

WHEREAS, in 1995, the Robert Russa Moton school building was retired from service by the Prince Edward County School Board and was sold by Prince Edward County to the Martha E. Forester Council of Women to be used as a museum dedicated to the study of civil rights in education; and

WHEREAS, in 2003, the Virginia General Assembly adopted a Resolution of Profound Regret for the state’s role in the closing of the Prince Edward County Public Schools; and

WHEREAS, on July 21, 2008, the Virginia Civil Rights Memorial will be dedicated stand on the Capitol grounds in Richmond, honoring the struggle begun in Prince Edward County on April 23, 1951;

NOW, THEREFORE BE IT RESOLVED, that we, the undersigned members of the Prince Edward County Board of Supervisors, believe that the closing of public schools in our county from 1959 to 1964 was wrong, and we grieve for the way lives were forever changed, for the pain that was caused, and for how those locked doors shuttered opportunities and barricaded the dreams our children had for their own lifetimes; and for all wounds known and unknown, we regret those past actions; and

BE IT FURTHER RESOLVED, that on July 21, 2008, the Prince Edward County Board of Supervisors will illuminate The Light Of Reconciliation in the courthouse bell tower in honor of Barbara Rose Johns and the students of Robert Russa Moton High School and all the children of our county, for their historic role in ending public school segregation in the United States, and with sorrow for closing schools; hoping that when we raise our eyes to see this light, may we also incline our hearts and minds to shine our own light of reconciliation toward all people.

In Re: Recommendation for Prince Edward Dialog for Reconciliation

Chairman Fore said he read the letter carefully, and said the Committee that the Board appointed has done a tremendous job on this worthwhile project. He said this issue further extends the parameters, and that the Museum should have this responsibility as the Museum has been working on this for ten years. He said it could be better done through grants to the Museum.

Mrs. Wiley said the people working on this project have put in a lot of time on the event, and the Board should determine the scope, cost, and partners. She said the Moton Museum is pursuing funding for the project, but the Board should work with the Museum, as well as the whole community.

Mrs. Gilfillan said the paperwork was submitted to the Board by Ms. Fritz on behalf of the Committee on the Prince Edward Dialog for Reconciliation. She said step one was the Light of Reconciliation on the night of the 21st, and this further step is the job of the Board of Supervisors to say it was wrong to close the schools, and it caused profound harm. She said she would like the Board of Supervisors to take leadership in acknowledgement of what happened, and to encourage the community talk about the harm caused, and to stress the importance of reconciliation.

After some further discussion, Mrs. Gilfillan made a motion to table this issue until the August 12, 2008 Board meeting. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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Mr. Ward said he wished to clarify that his vote against the resolution was due to the process taken.

In Re: Appropriations

Mr. Bartlett said the decision to proceed with the solicitation of bids for the construction of the Library required substantial work on the part of the consultant, specifically Design Development at a cost of \$120,550 and Preparation of Construction Documents at a cost of \$175,950, with a total cost of \$296,500. The County's share of this cost is \$197,667. He said while the Board has not made a final

decision on how to fund the Library project, these documents are required to receive bids and determine the actual cost of construction.

Mr. Bartlett then said the lack of rain has allowed the construction of the new cell at the landfill to go forward, and is now almost complete. He said an appropriation is necessary to balance the FY 08 budget.

Mr. Bartlett requested the following appropriations:

		<u>Debit</u>	<u>Credit</u>
3-100-41050-0100	From General Fund Balance		\$198,000
4-100-94000-0021	Capital Projects-Library A&E Fee	\$198,000	
3-331-41050-0331	From Landfill Construction Fund Balance		\$109,255
4-331-94000-0051	Landfill Construction	\$109,255	

Mr. Moore made a motion to approve the appropriations for the Library Project and the Landfill Construction as presented. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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Sally Gilfillan left the meeting at this time.

In Re: VDOT Revenue Sharing

Chairman Fore said Hampden-Sydney College has expressed an interest in the possibility of constructing a new entrance to the College along Route 15 when the road is widened due to the County's corridor plan. This could be an alternate route to the existing State Route 692. He said the County is currently partnering with Hampden-Sydney College on the Via Sacra road project; the County has facilitated access to the VDOT Revenue Sharing funds and the College is providing the required local

match. The same partnership would be implemented for the Alternate Route 692, with the County filing the application and the College providing the local match funds.

Chairman Fore said the anticipated cost of the project is \$1.2 million; the college would provide \$625,000 and VDOT would provide \$575,000. The deadline to submit applications to VDOT is August 1, 2008. Prince Edward County would serve as fiscal agent, and no county funds are committed to the project.

Mr. McKay made a motion to approve the Resolution Requesting Revenue Sharing Program Funds; the motion carried:

Aye:	William G. Fore, Jr. Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None	Absent: Sally W. Gilfillan
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**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA
REQUESTING REVENUE SHARING PROGRAM FUNDS**

WHEREAS, the Board of Supervisors of the County of Prince Edward desires to submit an application for an allocation of funds of up to \$575,000 through the Virginia Department of Transportation Fiscal Year 2009, Revenue Sharing Program; and

WHEREAS, \$575,000 of these funds are requested to fund the construction of approximately 0.5 miles of Route 692, from the intersection of U.S. 15 to approximately one-half mile west of Route 15; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Prince Edward hereby supports this application for an allocation of \$575,000 through the Virginia Department of Transportation Revenue Sharing Program.

Mr. Moore made a motion to authorize the Board Chairman and the County Administrator to sign all necessary documents. The motion carried:

Aye: William G. Fore, Jr. Nay: None Absent: Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward
Mattie P. Wiley

Sally Gilfillan returned to the meeting at this time.

In Re: Holiday Schedule

Mr. Bartlett said the Chairman of the Personnel Committee, Supervisor Simpson, conferred with the Circuit Court Judge and determined the feasibility of a winter holiday schedule, and recommends the following:

Thanksgiving: Wednesday, November 26 – Closed
Thursday, November 27 – Closed
Friday, November 28 – Closed

Christmas: Wednesday, December 24 – Closed
Thursday, December 25 – Closed
Friday, December 26 – Closed

New Years: Wednesday, December 31 – Closed
Thursday, January 1 – Closed
Friday, January 2 – Closed

On motion of Mr. Simpson and carried unanimously:

Aye: William G. Fore, Jr. Nay: None
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward
Mattie P. Wiley

the Board of Supervisors approved the winter holiday schedule.

In Re: Closed Session

Supervisor Charles W. McKay made a motion that the Board convene in Closed Session to discuss the expansion of an existing industry and to discuss a prospective industry where no previous public announcement has been made, pursuant to the exemptions provided for in Section 2.2-3711(A)5 of the *Code of Virginia*; and for consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel, pursuant to the exemptions provided for in Section 2.2.3711(A)7 of the *Code of Virginia*. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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Mrs. Gilfillan left the meeting during the closed session.

The Board returned to regular session by motion of Mr. McKay and adopted as follows:

Aye:	William G. Fore, Jr. Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None	Absent: Sally W. Gilfillan
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On motion of Mr. McKay, and carried by the following roll call vote:

Aye:	William G. Fore, Jr. Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None	Absent: Sally W. Gilfillan
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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.

In Re: Sale of Land to Tri-Boro Shelving, Inc.

A motion was made by Mr. Moore to approve the recommendation of the Industrial Development Authority to the Board to sell four acres of land to Tri-Boro Shelving at \$20,000 per acre, or \$80,000 for the expansion of the Tri-Boro facility with the construction of the 50,000 square foot warehouse, distribution, and manufacturing facility, whereby the proceeds of the sale will be deposited in the County's General Fund and in accordance with the proposed incentives. The motion carried:

Aye:	William G. Fore, Jr. Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay:	None	Absent:	Sally W. Gilfillan
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In Re: Animal Warden's Report

Mr. Ray Foster, Animal Warden, submitted a report for the month of June 2008, 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 June 2008, which was reviewed and ordered to be filed with the Board papers.

In Re: Financial Report from Prince Edward County Schools

Dr. Patricia Watkins, School Superintendent, submitted a financial summary report for the month of June 2008, which was reviewed and ordered to be filed with the Board papers.

On motion of Mr. Ward and adopted by the following vote:

Aye:	William G. Fore, Jr.	Nay: None	Absent: Sally W. Gilfillan
	Robert M. Jones		
	Charles W. McKay		
	James C. Moore		
	Howard F. Simpson		
	Lacy B. Ward		
	Mattie P. Wiley		

the meeting was adjourned at 11:40 p.m.