

June 10, 2008

At a reconvened meeting of the Board of Supervisors of Prince Edward County, held in the Third Floor Conference Room of the Court House, on Tuesday the 10th day of June, 2008; at 4:00 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; Fred Pribble, Draper Aden Associates; John Daniel, Troutman Sanders; and Lynne Rhode, Troutman Sanders.

Chairman Fore called the meeting to order as a reconvened meeting from May 20, 2008. He explained that its purpose was for a work session.

In Re: Budget Work Session

Chairman Fore introduced Adrienne W. Averett, Senior Water Supply Planner, DEQ.

Ms. Averett thanked the Board, and reviewed a presentation regarding water supply planning. She said a number of the goals, issues and concerns of the Board are similar to the water supply planning goals, issues and concerns that DEQ has at a state-wide level. She said Prince Edward County and the Town of Farmville are working on a regional water supply plan as a result of the Statewide, Local and Regional Water Supply Planning Regulation that became effective November 2005. She said the purpose is to establish a comprehensive water planning process for the development of local, regional and state water supply plans. The Regulation outlines the criteria that localities and regions will use to develop their plan, in addition to the criteria that the State will develop the first ever state water supply plan. She said

currently the water demand projections are being refined, and drought response and contingency plan is being developed. She added the “Statement of Need” and alternatives for the plan will be completed after that. Ms. Averett said water is vital to everyday functions in our communities; the current and economic growth of the area is dependent upon its water resources, and plans for the future must be developed. She said future water management may require crossing jurisdictional boundaries, and the water resources are for the benefit of all citizens. Ms. Averett said the surface water demand has doubled in the past 20 years, and the trend is expected to increase in part as a result of population growth. She said the most efficient use of the water resources requires regional solutions and may need to look into non-traditional water supplies.

Ms. Averett reviewed the State and local roles; she said the local governments are required by law to provide safe and adequate drinking water to their citizens and to plan for growth and development. She added the DEQ is there to assist local governments and to advocate for the localities and carry the messages to the General Assembly. She said that drought conditions exist statewide, with very low stream flows during the winter and very limited groundwater recharge. She said a good portion of the rain received in the area was used by the greening of the vegetation, and was not going into the groundwater supplies. She added the regulatory, geographic and political landscape plays a part in the water projects which are expensive and difficult to permit, and a number of local governments are seeking alternatives. She said the water planning must be a part of economic and community planning. Water Supply Planning Regulation establishes a comprehensive, statewide water supply planning process to ensure the availability of safe and adequate drinking water to all of Virginia’s citizens. She added it is also to protect all beneficial uses, both instream and offstream; encourage alternative water source development; and promote conservation. She said the process is the ability to create dynamic water planning partnerships that recognize water as a limited resource and to plan for future water needs.

Mr. Ward said in the Richmond Times Dispatch, there was an article stating the DEQ was requiring localities to submit plans and asked what the plans should contain.

Ms. Averett said the Regulation outlines the base-line criteria, adding the localities must look at where their water comes from: are they public or private sources, or industries, and how many people use

wells. She said the localities must also study the current uses and how much water is needed; and the localities must make projections for 30 to 50 years and can it be sustained in the future.

Mr. Ward asked if there will be an approval or disapproval of the plans. Ms. Averett said the DEQ will determine the plan's consistency with the Regulation. She said the Regulation has time-steps of criteria that are outlined, and the DEQ will review each locality's plan and ensure the elements are included.

Mr. Ward asked if the State requires a county with sufficient water resources to meet the needs of those counties that do not have sufficient water resources.

Ms. Averett said the DEQ has discussed such instances; she said the DEQ will meet with the localities to assist with clarification in the plans to avoid litigation. She said the power of the planning is in having those discussions up front. She said Prince Edward County is a model region, and our plan could be complete next summer, which is two years ahead of the deadline.

In Re: Closed Session

Mr. Wade Bartlett, County Administrator, introduced John Daniel and Lynne Rhode, both of Troutman Sanders, and said they will be assisting the County with the water issues and the possible establishment of a water and sewer authority.

Supervisor McKay made a motion that the Board convene in Closed Session 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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The Board returned to regular session by motion of Mr. Moore, seconded by Mr. McKay and adopted as follows:

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

On motion of Mr. McKay and carried by the following roll call 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

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.

On motion of Mr. McKay 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

the meeting was adjourned at 6:06 p.m.