

March 11, 2008

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday the 11th day of March, 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; Travis Harris, Sheriff; Mark McKissick, Assistant Resident Engineer; and Keith Halbohn, Transportation Contract Administrator.

Chairman Fore called the meeting to order. Supervisor Moore asked Reverend Stanley Wesley of the Upper Room Ministry to offer the invocation.

In Re: Public Participation

Garland Perkins, of Farmville, said he felt there was a potential conflict of interest for a local realtor to be on the Planning Commission.

Jeanette McBride, of Farmville, said she did not think any realtor should be on the Planning Commission due to a conflict of interest.

Gaile McBride, of Farmville, said she was opposed to a realtor serving on the Planning Commission. She said she felt a realtor could benefit from actions taken, and potentially could affect the value of property, which could have a negative impact. She asked the Board to consider the other candidates.

Wyatt Lee Overton, of Farmville, presented a copy of a letter to the Board members and said that in 2006, he had been in contact with Mr. Park regarding the property taxes on the Longwood Real Estate Foundation properties. He stated he contacted the IRS and the Longwood Realty Foundation could not file an exemption as they had no tax exemption number. Mr. Overton said they did get a reduced rate.

Mr. Overton said that in 2002, three amendments were passed during the General Assembly, one of which was changed to allow the local government body handle tax-exempt status rulings instead of the General Assembly. He said the Board of Supervisors had to vote on the exemption, as did the Farmville Town Council.

Mr. Overton said he contacted the Attorney General's office; he was told they would not rule against another government agency. He said he felt the Foundation waited until he retired to again bring the issue before the Board of Supervisors, and that giving the Foundation an exemption was unfair to the people of the county.

Mr. Ward said he was aware the taxing authority lies with the local government. He asked if anyone asked the County about a tax exemption; Chairman Fore said no.

Mr. Ward then asked why the Board received a report and a legal opinion, and said he didn't know why the County was negotiating with the Longwood Real Estate Foundation.

Mr. Jim Ennis, County Attorney, said the County met with the Longwood Real Estate Foundation at their request for the purpose of discussing the exempt status of the properties owned by the Foundation.

Chairman Fore said the staff reacted to the request for the Board.

Mr. Ward said he was unaware of the request and inquired as to why the staff would talk to the Foundation and request a legal opinion.

Mr. Ennis said there was a fundamental misunderstanding. He said that Mr. Overton was correct in his interpretation of Section 58.1, as it was amended, puts the determination of tax-exempt status in the hands of local government. He said Section 6 (a) (1) states a tax exemption in any form – since 1870 – for property directly or indirectly owned by the State of Virginia. Mr. Ennis said Longwood Real Estate Foundation questioned if they could claim an exemption.

Mr. Overton said a ruling in the case of The College of William and Mary went into effect under a grandfather clause. Mr. Ennis said William and Mary is a state owned college, not a private university as

in the case of Randolph-Macon College. He said the Attorney General's Opinion 58.1-3657 states a tax exemption was not necessary as it doesn't apply to a university owned by the Commonwealth, as the state cannot be taxed.

After further discussion, Chairman Fore said the Board would need to add this topic to the next meeting agenda for further discussion.

In Re: Public Hearing – Secondary Highways Six-Year Plan

Chairman Fore said in the interest of time, the agenda would be altered. The Chairman announced that this was the time and place for a public hearing on the Secondary Highways Six-Year Plan. He said as was discussed in the Highway Work Session in February, no changes to last year's plan are being proposed due to insufficient funds. He said the latest VDOT *Revised Revenue Forecast* for the County reported even further reductions in secondary road funding, and in FY 09, it was forecast that the County would see an additional \$275,000 reduction in road funding. Chairman Fore opened the public hearing.

Mr. Mark McKissick, Assistant Resident Engineer, said there have been a few changes, but the numbers have not panned out for the future. He said the funding appears to be reduced 45%-75%, and the outcome is currently tied up in the General Assembly. He said VDOT would spend the funding as it becomes available. He added the Plan is officially a spending plan; if some of the projects receive no funding, no work could be done on them, and they may be dropped from the plan.

Joseph T. Miller, Leigh District, asked if a roadway reverts to the property owner when a roadway which encompasses the personal property line is abandoned. He said he owns property in Lockett District also, on Route 606 near Sandy River Reservoir, where a turnaround near the waterline is not being maintained. He added approximately halfway to the turnaround, a crossover conduit has been blocked for two years, causing the roadway to deteriorate. He said his property value would depreciate if the roads were not kept up. He also asked that a "No Parking" sign be posted at the turnaround.

Mr. McKissick said if the roadway was abandoned, the state may sell the property back to the property owner, and said there are many circumstances depending on how the property came into the possession of the state. He said there is a process in place to determine each case.

After further discussion, Chairman Fore said until funds are secured, the Board of Supervisors could do nothing. Mr. McKissick said VDOT was aiming for June to have the budget finished.

As there were no others wishing to comment, Chairman Fore closed the public hearing.

In Re: Highway Matters

Mr. McKissick said the Six Year Plan includes ten projects; of those, two might be built in the next six years.

Mr. McKissick reported a contractor has been hired to pave Route 626, Peaks Road. He said if not completed, this would drop to a regular project in a few years. He said the Route 15 parallel project was scheduled to begin in 2011, and the Route 613, Miller Lake Road project was to begin in two weeks. Mr. McKissick said the bridge on West Third Street would be open by June, and several other bridge rehabilitation projects were scheduled. He said the speed limit had been dropped on Route 676, Lake Drive; the Slaydon Forest project was ready to begin; stop sign adjustments had been made in Worsham; and the Hidden Lake Road project was still in negotiation but felt positive that it would be ready in the near future.

Mrs. Gilfillan asked about the status of the safety issue at the southbound entrance of the Lowe's store. Mr. McKissick said the work order had been requested but was unsure of the status.

Mr. Simpson reported a sinkhole on Germantown Road, northbound at the foot of the bridge coming into town.

Mr. Moore asked that a curve on Route 696 be considered for repair; Mr. McKissick said it is to be corrected.

In Re: Public Hearing – School Board Appointments

The Chairman announced that this was the time and place for a public hearing on the Prince Edward County School Board Appointments. He said the Citizen Committee Members for District 301 and District 501 have been selected, and this public hearing was being held to hear nominations from the floor to the School Board. He said that the Citizen Committee may have received letters of interest and resumes,

and would collect the nominations for the positions to be appointed in June 2008. Chairman Fore opened the public hearing.

Mrs. Shepperson, Chair of the Citizen Committee for District 301, said Mrs. Harriett E. Fentress indicated her interest to continue serving on the School Board. There were no nominations from the floor for the Leigh District.

Chairman Fore said that Mr. Russell Dove, currently serving as Chairman of the School Board, has indicated his interest to continue serving on the School Board. There were no nominations from the floor for the Buffalo District.

There being no one else wishing to speak, Chairman Fore expressed his appreciation to the members of the Citizen Committees and closed the public hearing.

In Re: Public Hearing – Special Use Request, Gregory Scott

The Chairman announced that this was the time and place for a public hearing on the Special Use Request made by Gregory Scott, who wishes to operate a mini-storage facility at the intersection of Farmville Road and County Shop Road. The Planning Commission held a public hearing on January 16, 2008 concerning this request and recommended conditional approval. Chairman Fore opened the public hearing.

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

Mrs. Gilfillan asked what type of buffer would be used. Jonathan L. Pickett, Director of Planning and Community Development, said the buffer is currently hardwood and on a high ridge. Mrs. Gilfillan suggested the wording be changed to specify the buffer must be the current existing natural buffer and must be maintained.

A motion was made by Mr. McKay to recommend approval of the Special Use Request with the following conditions:

- Shielded security lighting, arranged in a manner as not to affect adjoining properties
- Entrance from County Shop Road only
- Current existing natural buffer to be maintained along Farmville Road
- Signage not to exceed 4' by 8' dimensions

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 – Rezoning Request, Herberton Poplar Hill

The Chairman announced that this was the time and place for a public hearing on a Rezoning Request from the Herberton Poplar Hill Residential I, L.L.P., to rezone a total of 56.61 acres from A-2, Agricultural Residential to RPC, Residential Planned Community. The Planning Commission held a public hearing on this request on February 19, 2008 and recommended approval.

Rob Anderson, with Herberton Poplar Hill, said this acreage is located on the north side of Worsham Road, about a quarter of a mile west of the intersection of Worsham Road and Old Ridge Road. The property abuts The Manor property on the south and the request is being made in order to bring all properties relating to The Manor project under the same zoning classification, and would be used solely for approximately 37 single family homes. He added it would allow secondary access to The Manor. Mr. Anderson said this acreage would not be developed for a time.

Mrs. Gilfillan said she was concerned about the property being sold undeveloped and put to another use.

Mr. Pickett said this property could be used for single family homes only, and the zoning would stay with the property for five years; if after that time it is not developed, the property would revert back to its previous status.

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

Mr. Jones made a motion to approve the rezoning request per Planning Commission recommendation that the 56.61 acres, located on the north side of Worsham Road about .25 miles west of the intersection of Worsham Road and Old Ridge Road, be rezoned from A-2, Agricultural Residential to RPC, Residential Planned Community. 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

In Re: Consent Agenda

Mr. Ward questioned the date of the Treasurer's report; Mrs. Shanaberger said the reports were always one month behind due to the approval of Accounts Payable at the previous Board meeting. She said during January and February, the Treasurer's office was extremely busy due to mailings for the decal applications. She stated that it was completely done in-house and not out-sourced. She added the staff is shorthanded due to a vacancy and one staff member being ill. She stated that at the conclusion of business on March 11, 2008, the Treasurer's office had collected \$32,866.25 in decal fees since March 3, 2008.

On motion of Mr. McKay 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

the Board accepted the Treasurer's Report for the month of December, 2007; the minutes of the meetings held February 12, 2008 at 5:00 p.m., February 12, 2008 at 7:00 p.m., and February 20, 2008 at 5:30 p.m.; Accounts & Claims; Salaries; a renewal of the County Health Insurance Plan; a renewal of the Bush River Watershed #4-B Emergency Action Plan; and renewals of the Constitutional Officer Personnel Policy Agreements.

December 2007

Fund balances were as follows:

General Fund-----	\$ 122,960.35	
General Fund Reserved for Investment-----	11,312,410.97	
		11,435,371.32*
Prince Edward Community Development Fund-----	0.00	
Industrial Development Authority Fund-----	953,867.14	
Recreation Fund Reserved for Investments-----	25,557.62	
Forfeited Assets Fund Reserved for Investment-----	159,387.00	
School Capital Projects Fund—VPSA-----	28,870.96	
School Capital Projects Fund—QZAB01-----	14,377.14	
Underground Storage Tank		
Liability Fund Reserved for Inventory-----	20,000.00	
Economic Development Fund-----	(50,000.00)	
Board of Public Welfare Special Account-----	2,657.68	
Piedmont ASAP Fund-----	176,395.04	
School Fund-----	0.00	
Landfill Construction Fund-----	501,682.37	
PCS Fund-----	323,951.62	
Revenue Sharing Fund-----	(71,634.14)	
Retirement Benefits Fund-----	16,381.00	
School Capital Projects Fund—QZAB02-----	695,057.50	
DARE Donations Fund-----	5,388.95	
School Cafeteria Fund-----	240,442.04	
		\$14,477,753.24

Cash accounts were as follows:

Cash in Office-----	1,000.00	
Cash in Banks-----	765,542.54	
Warrants Payable (School Fund)-----	0.00	
General Fund Investments-----	11,312,410.97	
VPSA Investments-----	28,870.96	
QZAB01 Investments-----	14,377.14	
Underground Storage Tank Fund-----	20,000.00	
Recreation Fund Investments-----	25,557.62	
QZAB02 Investments-----	695,057.50	
Landfill Construction Fund for Investment-----	501,682.37	
Forfeited Asset Fund for Investment-----	159,387.00	
Industrial Development Authority Fund for Investment-----	953,867.14	
		\$14,477,753.24

*Of this \$11,435,371.32 in the General Fund, \$6,538,198.18 is encumbered for:

Transfers to:		
School Fund	\$	4,518,832.15
VPA Fund		293,510.26
Economic Development Fund		1,300,000.00
Debt Obligations		425,855.77
Total		\$6,538,198.18

This leaves an unencumbered balance of \$4,897,173.14 in the General Fund.

STATEMENT OF DEPOSITORY BALANCES

Balances as of December 2007:

Checking Accounts:

Benchmark Community Bank	115,841.36
Wachovia Bank	221,889.23
BB&T	2,156,778.85
Bank of America	315,296.06
	\$2,809,805.50

Investment Accounts:

Benchmark Community Bank	749,315.66
Wachovia Bank	200,000.00
Citizens Bank & Trust Company	535,000.00
BB&T	5,561,005.74
Planters Bank & Trust	700,000.00
Mentor Investments	158,450.87
SNAP (State Non-Arbitrage Plan)	28,870.96
Bank of America	3,734,304.51
	\$11,666,947.74

LIABILITIES

Virginia Department of Taxation	State sales tax	3.72
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BOARD OF SUPERVISORS

Farmville Printing	Business cards	49.00
Farmville Herald	Advertising	1,408.91
James C. Moore	Mileage-62.08	
	Tolls-3.50	
	Parking-6.00	
	Meal-8.72	80.30
Business Card	08 Legislative Day	120.00

COUNTY ADMINISTRATOR

AT&T	Phone	183.33
Embarq	Phone	470.04
U.S. Cellular	Phone	75.28
Business Card	Meals-86.48	
	08 Legislative Day-80.00	
	Fees-20.63	187.11
Diamond Springs	Office supplies	15.45
Key Office Supplies	Office supplies	194.43

Moonstar BBS	DSL	95.00
Compro Computers	Computer repairs	219.95
	<u>INDEPENDENT AUDITOR</u>	
Robinson Farmer Cox Associates	06-07 Audit	27,000.00
	<u>COMMISSIONER OF REVENUE</u>	
AT&T	Phone	58.60
nTelos	Internet	19.95
Embarq	Phone	202.35
Business Data of Virginia, Inc.	Vehicle Assessment Process	2,828.03
	<u>INFORMATION TECHNOLOGY</u>	
Business Data of Virginia, Inc.	Travel expense	580.29
	<u>ELECTORAL BOARD</u>	
Ruby F. Amos	Official-75.00	
	Meeting-25.00	100.00
Barbara Barnes	Official	75.00
Robert L. Barnes	Official	75.00
Mary L. Baylis	Official	75.00
Carl Blessing	Official	75.00
Patricia A. Brandt	Official-75.00	
	Meeting-25.00	100.00
William E. Brandt, Sr.	Official	75.00
Wendell Brown	Official	75.00
Pamela Clinton	Official	75.00
Peggy S. Cave	Official-75.00	
	Meeting-25.00	100.00
Sandra Covington	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	
	Mileage-15.00	165.00
Darlington Heights Fire Department	Rent	100.00
James H. Davis	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	150.00
Rachael E. Dove	Official	75.00
Sheila Eames	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	150.00
Lynn H. East	Official-75.00	
	Meeting-25.00	100.00
Elks Lodge #269	Rent	200.00
Vincent Eanes	Official	75.00
Farmville Herald	Advertising	95.40
Farmville Volunteer Fire Department	Rent	100.00
Emmett L. Ferguson	Official	75.00
Diane Ford	Official	75.00
Moses Ford	Official	75.00
Beth M. Fore	Official-95.00	
	Meeting-25.00	
	Phone-10.00	

	Ballots-20.00	150.00
Andrea S. Garrett	Official	75.00
Betty A. Gibbs	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	
	Mileage-15.00	165.00
Yolanda Gladden	Official-95.00	
	Meeting-25.00	120.00
Ernest Green	Official-75.00	
	Meeting-25.00	100.00
Hampden-Sydney Fire Department	Rent	100.00
Edward Lee Helton, Jr.	Official-75.00	
	Meeting-25.00	100.00
Mike Helton	Official	75.00
Esther W. Hollingsworth	Official	75.00
Carleene Sue Horne	Official	75.00
Frances D. Jasper	Official-75.00	
	Meeting-25.00	100.00
Donald B. Kellum, Jr.	Official	75.00
James Lee, Jr.	Official	75.00
Jean W. Lee	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	
	Mileage-15.00	165.00
Samuel A. Martin, Jr.	Salary	579.05
Phyllis Mason	Official	75.00
Lora P. McElhenie	Official	75.00
Patricia Montague	Official	75.00
Tola Morgan	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	
	Mileage-10.00	160.00
Grace E. Moton	Official	75.00
Mount Zion Second Baptist Church	Rent	200.00
Deanna Lee Nash	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	
	Mileage-15.00	165.00
Lisa Potter	Official	50.00
Prospect Volunteer Fire Department	Rent	100.00
Rebecca L. Randolph	Official-75.00	
	Meeting-25.00	100.00
James S. Reynolds, III	Official	75.00
Rice Volunteer Fire Department	Rent	100.00
Robert Saunders	Set-up polls	75.00
Theresa M. Schatzberg	Official	75.00
Bertha E. Shepperson	Official	75.00
Claudia Sommers	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	
	Mileage-10.00	160.00

J. Scott Simms	Official-95.00	
	Meeting-25.00	
	Phone-10.00	
	Ballots-20.00	
	Mileage-15.00	165.00
Gordon V. Smith	Salary	579.05
Margaret Stockton	Official-75.00	
	Meeting-25.00	100.00
Mount Pleasant Church	Rent	200.00
Christopher R. Tobey	Official	40.00
James B. Towler	Official	75.00
Patsy Watson	Witness print ballot	50.00
William Eugene Watson	Mileage-33.95	
	Salary-1,158.07	
	Postage-15.20	1,207.22
Lucy Zehner	Official-75.00	
	Meeting-25.00	100.00

REGISTRAR

Farmville Herald	Advertising	112.13
U. S. Postal Service	Postage	181.00
AT&T	Phone	54.32
Embarq	Phone	143.14
Dale L. Bolt	Mileage	13.58
Key Office Supply	Office supplies	315.70

CIRCUIT COURT

James E. Crews	Witness	130.83
AT&T	Phone	57.93
Embarq	Phone	179.82
Key Office Supply	Toner	30.00
Lawyers USA	Subscription	199.00

GENERAL DISTRICT COURT

AT&T	Phone-Juv. Prob.-175.12	
	Phone-J&D-91.82	
	Phone-Gen. Dist. Court-95.85	362.79
Embarq	Phone-J&D-105.40	
	Phone-Juv. Prob.-103.85	
	Phone-Gen. Dist. Court-296.15	505.40
U.S. Cellular	Phone	37.64
Key Office Supply	Copier	1,495.00

SPECIAL MAGISTRATES

AT&T	Phone	81.47
Embarq	Phone	80.60

CLERK OF THE CIRCUIT COURT

AT&T	Phone	90.41
Kinex Networking Solutions	DSL	132.40
Embarq	Phone	274.26
Key Office Supply	Chairs	1,434.00
C. W. Warthen	Binding land books	488.76

LAW LIBRARY

LexisNexis	Online charges	197.00
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Embarq	Phone	32.56
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COMMONWEALTH'S ATTORNEY

Pitney Bowes, Inc.	Postage meter ink	27.93
AT&T	Phone	205.98
Kinex Networking Solutions	Internet	49.95
Embarq	Phone	286.78
Key Office Supply	Office supplies	62.06

VICTIM WITNESS ASSISTANCE PROGRAM

Cindy Sams	Meal-9.69	
	Mileage-48.50	58.19
AT&T	Phone	68.86
Key Office Supply	Office supplies	28.78
Embarq	Phone	47.95
Treasurer of Virginia	Registration	50.00
T. S. Nelson Publications	Publications	141.00

SHERIFF

Crossroads Ford of Virginia	Radio installations-1,144.82	
	08 Crown Victoria-22,624.20	
	08 Crown Victoria-22,654.70	46,423.72
Express Care	Oil changes	199.87
Robby Franklin	Console bracket	110.00
Haley of Farmville, Inc.	Battery maintenance	79.20
All American Publishing	Sports calendar ad	215.00
AT&T	Phone	605.27
Carrington's Music	Cell phone	39.95
Embarq	Phone	443.84
Embarq Communications, Inc.	Phone	22.36
US Cellular	Phone	717.13
Larry Franklin	Meals	8.76
Robby Franklin	Meal	9.44
Robert Goldman	Meal	10.00
William D. Shular, Jr.	Meals	74.29
Sonya Walker	Meals	49.72
Kevin Randolph	Training per diem	238.00
Diamond Springs	Office supplies	95.85
HR Direct	Federal law poster	32.66
Key Office Supply	Office supplies	78.84
Kinex Networking Solutions	Internet	109.90
Walmart	Office supplies-101.72	
	Evidence supplies-30.74	132.46
Penn Camera Exchange, Inc.	Film	203.00
Sirchie Finger Print Labs	Evidence supplies	418.12
Southern Police Equipment Company	Handcuffs-48.00	
	Belt/handcuff case-60.96	
	Nameplate & badge-59.74	
	Mace holder-23.75	
	Belt-22.50	
	Holster-18.50	
	Handcuff cases-37.98	
	Shoes-65.44	
	Merchandise returned-(304.44)	32.43
Century Uniform-Raleigh	Uniforms	82.34

SHERIFF – COURTS

Southern Police Equipment Company	Wand metal detectors	321.99
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RICE VOLUNTEER FIRE DEPARTMENT

C. W. Williams	Helmet crescents	13.81
Fire & Safety Equipment Company	LED emergency light	383.50
Fire Programs	Software support/upgrade	395.00
Goodman Truck & Tractor	Truck maintenance	588.12
Roy C. Jenkins, Inc.	Propane-3,520.87	
	Gas-564.56	4,085.43
Embarq	Phone	89.69
Dominion Virginia Power	Electric service	259.68
Watkins Insurance Agency	Accident policy	3,563.26

PROSPECT VOLUNTEER FIRE DEPARTMENT

Citizens Bank & Trust Company	Truck payment	3,424.73
Farmville Wholesale Electric	Reel cord	141.08
Roy C. Jenkins, Inc.	LP gas	857.39
Embarq	Phone	94.42
Dominion Virginia Power	Electric service	213.66

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

East End Motor Company, Inc.	Inspection	16.00
Elecom, Inc.	Radios	1,762.36
Ellington Energy Service	Propane	1,022.96
Fire & Safety Equipment Company	Fire extinguishers	196.45
Guardian Fire-Safety Equipment	Helmets/boots/gloves	783.80
Warren Leidenheimer	Plumbing service	70.00
Planters Bank & Trust	Loan payment	501.50
Southside Electric Cooperative	Electric service	192.62
Verizon	Phone	72.52

PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone	72.29
Fire & Safety Equipment Company	SCBA test/repair	100.85
Foster Fuels, Inc.	Propane	1,284.34
Johnson's Electric Service	Plumbing repairs	113.10
Pamplin Volunteer Fire Department	Fuel-301.67	
	Generator repairs-44.50	
	Insurance-189.00	535.17
Verizon	Phone	104.01
Dominion Virginia Power	Electric service	345.63

MEHERRIN VOLUNTEER FIRE DEPARTMENT

Amelia Overhead Doors	Bay door repair	465.00
Guardian Fire-Safety Equipment	Air Pac service	710.40
Roy C. Jenkins, Inc.	LP gas	884.27
Jack L. Slagle Fire Equipment	Foam & "backpak"	320.00
U.S. Cellular	Phone	155.56
Verizon	Phone	130.41
Dominion Virginia Power	Electric service	316.80

REGIONAL JAIL & DETENTION

Family Preservation Services	Electronic monitoring	270.00
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	<u>BUILDING OFFICAL</u>	
US Cellular	Phone	37.64
	<u>ANIMAL CONTROL</u>	
Ridge Animal Hospital	Vet service	42.00
U.S. Cellular	Phone	75.28
Newman Tire Company, Inc.	Flat repair	10.88
John Adams	Bounty	50.00
Mark Jenkins	Bounty	50.00
Ray Foster	Photo processing-2.06	
	Ammunition-7.95	10.01
Walmart	Food & litter	162.98
	<u>MEDICAL EXAMINER</u>	
Treasurer of Virginia	Coroner	20.00
	<u>BIOSOLIDS MONITORING</u>	
Manuel H. Toombs, Jr.	Internet	24.67
U.S. Cellular	Phone	37.64
Tri-County Ford-Mercury	Oil change	25.83
	<u>REFUSE DISPOSAL</u>	
Resource International	Miscellaneous work tasks-968.35	
	Storm water compliance report-116.00	
	Cell D Construction documents-2,953.50	
	Groundwater monitoring-7,257.49	11,295.34
Blue Tarp Financial, Inc.	Padlocks-29.37	
	Safety goggles-47.25	76.62
Business Card	Compactor parts-414.37	
	Insurance deductible-phone-50.00	464.37
Farmville Auto Parts	Grease fittings/oil	83.24
O. O. Stiff, Inc.	Monthly service	671.75
Dave M. Walker	Cleaning box site	250.00
C & L Machine & Welding	Repair tarp bearing-35.00	
	Repair broken bolt-45.00	
	Repaired cover-1,338.15	
	Weld roll-off bolts	1,485.65
East End Motor Company, Inc.	Inspection/wiper blades	144.19
Jimmy's Service Center	Oil change/belts	747.25
Arena Trucking Company	Trash collection	289.00
Wright's Excavating	Landfill operation	42,187.50
Emanuel Tire of Virginia	Tire recycling	2,524.50
AT&T	Phone	145.49
Embarq	Phone	196.95
US Cellular	Phone	37.64
Verizon	Phone	128.19
Newman Tire Company, Inc.	Tires	480.00
	<u>SANDY RIVER RESERVOIR</u>	
Draper Aden Associates	Financial analysis-2,351.94	
	SRR Protection plan-1,295.00	
	SRR water supply plan-9,085.00	
	Intake/pump facility-3,750.00	
	Water main extension to HSC-6,050.00	22,531.94

<u>GENERAL PROPERTIES</u>		
Servicemaster	Monthly contract	4,875.83
O. O. Stiff, Inc.	Monthly service	100.00
Southside Electric Cooperative	Electric service-DH site-154.28	
	Electric service-SRR lights-32.69	186.97
Dominion Virginia Power	Animal shelter-292.23	
	Industrial Park-62.07	
	Roy Clark monument-29.73	
	Leachate pump-19.30	
	Scalehouse-116.95	
	Shop-72.99	
	Cell C pump station-17.14	
	Moore building-214.10	
	Green Bay site-94.13	
	Worsham Clerk office-235.71	
	Lights at Rice-65.91	
	Worsham site-117.40	
	Prospect site-93.22	
	Landfill shelter-81.25	1,513.13
Ellington Energy Service	Fuel oil-shop	736.73
Roy C. Jenkins, Inc.	Heating oil	8,396.79
Town of Farmville	Water & sewer-164.54	
	CH irrigation system-17.30	181.84
Embarq	Phone	63.16
U.S. Cellular	Phone	188.29
Aramark Uniform Services	Janitorial supplies	189.85
Walmart	Janitorial supplies	51.73
Blue Tarp Financial, Inc.	Safety hasp-3.72	
	Tape measure/broom-26.19	
	Lock-3.71	
	Chain/nuts/bolts-60.15	
	Pin punch-8.70	
	Plywood-19.06	
	No Trespassing signs-28.35	
	Weather stripping/battery-15.04	
	Key blanks-7.00	
	Concrete mix/bolts-28.38	
	Plywood/paint-27.86	
	Pipe cap/screws-5.10	
	Rubber straps/ratchet-107.83	
	Returned merchandise-(1.20-)	339.89
Arcet Equipment Company	Welding supplies	152.95
C & L Machine & Welding	Repair AHU bearing	84.90
Farmville Auto Parts	Handsoap-29.81	
	Oil/filter/towels-67.59	
	Trailer light kit-19.96	117.36
OK Termite & Pest Control	Exterminating service	150.00
Price Supply Company	Exhaust fan for shop	109.19
Ronald Van Eps	Materials-build trash cart	109.29
Walmart	Belt sander/supplies	104.61
<u>CANNERY</u>		
Southside Electric Cooperative	Electric service	158.85
Roy C. Jenkins, Inc.	Fuel oil	517.07
Hubert Company	Scrapers	27.17

Prince Edward Health Department	<u>HEALTH DEPARTMENT</u> Local support	36,627.00
	<u>COMPREHENSIVE SERVICES ACT</u>	
Business Card	Foster care	118.92
Crossroads Services Board	Professional services	3,585.00
Dominion Youth Services	Professional services	6,090.00
Elk Hill	Professional services	3,621.31
Family Preservation Services	Professional services	4,338.75
Juanita Fisher	Foster care	230.00
Grafton School, Inc.	Professional services	13,023.00
Hallmark Youthcare-Richmond	Professional services	4,760.64
Heartland Family Counseling	Professional services	2,750.00
Christy Johnson	Foster care	431.00
Brittany Jones	Foster care	56.48
Lakeisha Lawson	Foster care	862.00
Ernestine Lee	Foster care	862.00
Angela Uhrich	Foster care	1,661.00
Whisper Ridge-Charlottesville	Professional services	2,700.00
	<u>PLANNING</u>	
Samuel Coleman	Commission meeting	111.64
Donald Gilliam	Commission meeting	119.40
Jack Leatherwood	Commission meeting	100.00
Chris Mason	Commission meeting	108.73
Thomas M. Pairet	Commission meeting	100.00
Clem Richards	Commission meeting	119.40
Business Card	Postage	33.60
Jonathan Pickett	Postage-14.85	
	Mileage-349.20	364.05
U.S. Cellular	Phone	75.28
Farmville Herald	Advertising	273.00
	<u>ECONOMIC DEVELOPMENT</u>	
AT&T	Phone	60.75
Moonstar BBS	DSL	45.00
Embarq	Phone	182.09
O. O. Stiff, Inc.	Portable john service	190.00
Business Card	Meal-16.13	
	Postage-123.00	
	UPS service-173.54	
	Fees-8.41	321.08
Key Office Supply	Office supplies	109.84
	<u>DEBT SERVICE</u>	
Rural Development	Courthouse loan payment	16,626.00
	<u>EXPENSES</u>	
Walmart	DARE supplies	24.31
	<u>RETIREMENT BENEFIT FUND</u>	
Vicki K. Johns	Retiree benefit	959.00
	<u>REVENUE SHARING FUND – VDOT</u>	
Draper Aden Associates	Via Sacra design	2,750.00

<u>PIEDMONT COURT SERVICES</u>		
Dominion Virginia Power	Electric service	193.81
AT&T	Phone	300.87
Embarq	Phone	231.05
Sheena Franklin	Mileage	90.21
Sharon Gray	Mileage	125.11
Ashley Hricko	Mileage	123.65
Brittany Layne	Mileage	97.00
Renee T. Maxey	Mileage	116.55
Rebecca Moss	Mileage	103.79
Charlotte Gazette	Subscription	22.00
Crewe-Burkeville Journal	Subscription	19.00
Virginia Correctional Enterprise	Pad holder	21.96

<u>PCS SUPERVISION FEES EXPENDITURES</u>		
SRP Corporation, LLC	Rent	1,550.00
Page Hardy	Cleaning service	120.00

<u>PCS DRUG TESTING FEES</u>		
Kroll Laboratory	Drug testing	31.14

ADDENDUM BILL LIST

<u>COUNTY ADMINISTRATOR</u>		
U. S. Postal Service	Postage	75.00
VITA	Pager rental	16.36
Town of Farmville	Gas	80.47

<u>COMMISSIONER OF REVENUE</u>		
VITA	Online service	125.38
Business Data of Virginia, Inc.	Printer	512.93

<u>ASSESSOR</u>		
Wampler-Eanes Appraisal	Professional services	27,900.00

<u>TREASURER</u>		
ComputerPlus Sales & Service	Maintenance contracts	581.70
James W. Elliott, Attorney	Advertising-132.00	
	Service fees-144.00	276.00
AT&T	Phone	124.58
VITA	Online service	125.38
Embarq	Phone	223.88
Virginia Employment Commission	Online service	100.00
Treasurer's Association of Virginia	Registration	200.00
Key Office Supply	Office supplies	428.01
M&W Printers, Inc.	Vehicle decals	3,022.40

<u>INFORMATION TECHNOLOGY</u>		
Business Data of Virginia, Inc.	Travel expense-200.00	
	Monthly contract-2,800.00	3,000.00
ComputerPlus Sales & Service	Maintenance contract	270.00

<u>ELECTORAL BOARD AND OFFICIALS</u>		
Farmville Printing	Paper ballots	70.00
<u>REGISTRAR</u>		
VITA	Online service	3.25
Farmville Printing	Voter card envelopes	435.00
<u>SPECIAL MAGISTRATES</u>		
VITA	Pager rental	16.36
<u>CLERK OF THE CIRCUIT COURT</u>		
Poster Compliance Center	Labor law poster	69.00
<u>LAW LIBRARY</u>		
AT&T	Phone	33.37
LexisNexis	Online charges	197.00
<u>SHERIFF</u>		
Crossroads Ford of Virginia	Radio installations-1,455.92	
	08 Crown Victoria-11,638.00	13,093.92
Farmville Auto Parts	Radio wire/cable	27.58
East End Motor Company, Inc.	Replace manifold gasket-622.94	
	Auto maintenance-366.28	
	Alternator-393.16	
	Oil change-37.80	
	Change plugs/wires/filter-435.05	1,855.23
Express Care	Oil changes/wiper blades	102.45
Newman Tire Company, Inc.	Tires	429.52
Business Card	Meals-374.96	
	Camera batteries-185.79	560.75
Jimmy Farley	Meals	13.56
Farmville Printing	Office forms	146.60
Kinex Networking Solutions	Dell processor	6,675.00
Town of Farmville	Gas	7,892.15
Southern Police Equipment Company	Gun night sight-59.99	
	Gloves-16.50	76.49
Century Uniform-Raleigh	Uniforms	226.44
McMillian Pager Service	Pager rental	230.00
<u>EMERGENCY SERVICES</u>		
Korman Signs	Signs & hardware	318.90
<u>REGIONAL JAIL & DETENTION</u>		
Piedmont Regional Juvenile Detention Center	Juvenile detention	7,950.00
Piedmont Regional Jail	Inmate per diem	3,709.20
<u>BUILDING OFFICIAL</u>		
Town of Farmville	Gas	321.60
<u>ANIMAL CONTROL</u>		
Embarq	Phone	31.96
Town of Farmville	Gas	780.55
Arcet Equipment Company	Gloves	64.05
VITA	Pager rental	16.36

	<u>BIOSOLIDS MONITORING</u>	
Town of Farmville	Gas	345.06
	<u>REFUSE DISPOSAL</u>	
Farmville Wholesale Electric	Compactor electrical parts	14.78
Moore Scale Service-Western Virginia	Serviced scales	250.00
Piedmont Regional Jail	Inmate trash pickup	180.00
Jimmy's Service Center	Trash truck maintenance	401.38
Resource International	Groundwater monitoring	21,490.43
STEPS, Inc.	Recycling fee	937.47
AT&T	Phone	35.70
Ranson's, Inc.	Phone	15.21
Embarq	Phone	35.60
Town of Farmville	Gas	2,106.29
	<u>SANDY RIVER RESERVOIR</u>	
Hefty & Wiley, PC	Legal service	2,437.50
	<u>GENERAL PROPERTIES</u>	
McQuay Service	Chiller maintenance Dec-Feb-2,263.74	
	Chiller maintenance Mar-May-2,263.74	4,527.48
Southside Electric Coop	Virso site	181.76
Dominion Virginia Power	Courthouse-8,259.29	
	Rice site-112.67	
	Ag building-1,775.97	10,147.93
Embarq	Phone	47.78
VITA	Pager rental	63.03
Farmville Wholesale Electric	Electrical supplies	31.44
Rod & Staff Welding	Maintenance supplies	126.60
Cintas Corporation #524	Uniform rental	433.00
Sherwin Williams Company	Paint & roller	147.79
Town of Farmville	Gas	493.42
	<u>CANNERY</u>	
Embarq	Phone	31.28
	<u>COMPREHENSIVE SERVICES ACT</u>	
Sabur Latrind Abdus	Foster care	360.00
Business Card	Foster care	18.96
Centra Health	Professional services	3,990.00
Cumberland Hospital	Professional services	15,053.65
Dominion Youth Services	Professional services	5,800.00
Hallmark Youthcare-Richmond	Professional services	11,802.94
Helton House, Inc.	Professional services	5,052.50
New Dominion School, Inc.	Professional services	8,120.00
VSDB	Professional services	3,195.00
	<u>PLANNING</u>	
Town of Farmville	Gas	65.03
	<u>ECONOMIC DEVELOPMENT</u>	
Sharon Lee Carney	Dry cleaning-24.00	
	Advertising-60.00	
	Meals-52.73	
	Mileage-18.43	
	Registration-115.00	

	Airport shuttle-35.25	305.41
	<u>FORFEITED DRUG ASSETS</u>	
Crossroads Ford of Virginia	08 Crown Victoria	11,016.70
	<u>RETIREMENT BENEFIT FUND</u>	
Anthem BCBS	Retiree health insurance	1,812.00

In Re: Appropriation – Sheriff’s Department

Mr. Bartlett advised the Board that a new division in the Sheriff’s Department titled “Sheriff’s Department – Courts” was created to ease the reporting and data collection efforts associated with determining the costs associated with operating the Courts. A budget transfer of \$125,505.00 was requested from the Sheriff’s division to the Sheriff’s – Courts division, which represents the cost associated with personnel whose primary function is working with the Courts and includes February 2008 through June 2008.

Mr. Moore made a motion and was seconded by Mrs. Wiley to appropriate the budget transfer as follows:

4-100-31200-1100	Salary & Wages	\$85,886
4-100-31200-1300	Part Time	6,330
4-100-31200-2100	FICA	7,054
4-100-31200-2210	VRS	10,160
4-100-31200-2300	Health Insurance	13,590
4-100-31200-2400	Group Life Insurance	971
4-100-31200-2600	Unemployment	140
4-100-31200-2700	Workers Comp	1,374
4-100-31201-1100	Salary & Wages	\$85,886
4-100-31201-1300	Part Time	6,330
4-100-31201-2100	FICA	7,054
4-100-31201-2210	VRS	10,160
4-100-31201-2300	Health Insurance	13,590
4-100-31201-2400	Group Life Insurance	971
4-100-31201-2600	Unemployment	140
4-100-31201-2700	Workers Comp	1,374

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: Prince Edward County Planning Commission

A “Town resident” vacancy on the Prince Edward County Planning Commission was created by the election of Mrs. Mattie Wiley to the Board of Supervisors. Mrs. Wiley’s term of office on the Planning Commission expires December 31, 2010. Sherry Honeycutt, Jack E. Houghton, and Jim Wilck each addressed the Board, and each gave a brief summary of their qualifications to serve on the Planning Commission. Theresa M. Schatzberg was not in attendance.

After some discussion, a vote was taken on the candidates for the Planning Commission, Town Position, as follows:

<u>Candidate</u>	<u>Vote</u>
Sherry Honeycutt	No votes
Jack E. Houghton	Sally W. Gilfillan Lacy B. Ward
Theresa Maria Schatzberg	No votes
Jim Wilck	William G. Fore, Jr. Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Mattie P. Wiley

Mr. Jim Wilck will be appointed to complete the vacant term on the Prince Edward County Planning Commission through December 31, 2010.

In Re: Upcoming Vacancies

Chairman Fore said it was necessary to advertise the following Board and Commission vacancies:

Position	Term of Office	# of Vacancies
Board of Appeals for Building Code	5 Years	1
Central Virginia Library Board	4 Years	1
Poplar Hill Community Development Authority	1 Year	2
Prince Edward County Industrial Development Authority	4 Years	2
Social Services Board <i>(Position to be filled by resident living in Rice area)</i>	4 Years	1

Mr. Moore made a motion to authorize advertisement of the Board and Commission vacancies.

The motion carried:

<p>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</p>	<p>Nay: None</p>
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In Re: Resolution – Pamplin Fire & EMS

Mr. McKay made a motion to approve the Resolution of the Board of Supervisors in recognition of the Pamplin Volunteer Fire and EMS, which would permit the Pamplin Volunteer Fire Department to operate the ground transport at the Basic Life Support and Advanced Life Support levels (rescue squad).

The motion carried:

<p>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</p>	<p>Nay: None</p>
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**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF PRINCE EDWARD, VIRGINIA**

IN RECOGNITION OF PAMPLIN VOLUNTEER FIRE & EMS

WHEREAS, the Board of Supervisors of the County of Prince Edward, Virginia, wishes to enable the Emergency Medical Service (EMS) of the Pamplin Volunteer Fire & EMS to provide both non-ground transport (First Responder) and ground transport to all the Basic Life Support (BLS) and Advance Life Support (ALS) levels, with the ability to bill for services within a time frame that has not yet been established; and

WHEREAS, the Board of Supervisors of the County of Prince Edward, Virginia, acknowledges the compelling need for both non-ground and ground transport at the BLS and ALS levels to serve the Pamplin region to include areas in the County of Prince Edward; and

WHEREAS, by enabling the formation and operation of an EMS non-ground and ground transport at the BLS & ALS levels, capability can be established and can be operational immediately;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, through the adoption of this resolution recognizes that the operation of an Emergency Medical Service with both non-ground transport and ground transport at the Basic Life Support and Advanced Life Support levels will be established as an agency under the Pamplin Volunteer Fire & EMS Department and as an EMS agency to be operated within the County of Prince Edward.

In Re: Route 15 South Corridor Development Planning

Jonathan L. Pickett advised the Board that the Planning Department would like to take a proactive approach to planning for the development of the growth corridors identified in the Prince Edward County Comprehensive Plan. A Corridor Plan is necessary to implement specific regulations concerning the preservation of valuable historic, civic and environmental features and provide for desirable, attractive growth and development. He said due to the plans by VDOT to widen the Route 15 corridor south of Farmville, the need for the development plan for the future has increased, as it may stimulate accelerated commercialization of this corridor. A Corridor Plan would ensure that adequate controls provide for efficient use of the land, controlled aesthetics for signs, landscaping and light pollution, and allow for proper design of controlled entrances to maintain a smooth flow of traffic and high level of service capacity on the travel corridor. He added that under the current zoning ordinance, the County does have some control.

Mr. Pickett asked the Board to review the proposed Commercial Corridor Plan – Initial Components and the Prince Edward County Comprehensive Plan, Chapter VI, Special Policy Areas, Policy

Area: Corridor Development, and then schedule a work session in late April or May with the Planning Commission at their convenience.

In Re: County Attorney's Report

Mr. Jim Ennis, County Attorney, reported first on the status of the Boundary Adjustment Requests from the Town of Farmville. He said the plat of The Woodlands consisting of 13.95 acres was incorrect; the Town's attorney inadvertently included a parcel that was not in the request. He said he was awaiting word if the individual had been contacted.

Mr. Ennis reported the Coyote Bounty Ordinance currently set an annual maximum budget fund of \$2,500 per calendar year. He said an amendment is requested to change the wording to "\$2,500 per fiscal year."

**SECTION 10-16 KILLING OF COYOTES PERMITTED, BOUNTY ESTABLISHED;
PROCEDURES FOR CLAIMS**

- (a) The killing of coyotes within the boundaries of the county is hereby authorized for bounties upon the following conditions: A bounty of \$50.00 shall be paid by the county, from available funds, for each coyote killed within the boundaries of the county.
- (b) All payments shall be contingent upon the furnishing of such identifying information as requested by the county's designated agent (county animal control). The Board of Supervisors shall be the approving authority for payment of all claims presented.
- (c) Available funds not to exceed \$2,500.00. The total dollar amount of bounties to be paid under this division shall not exceed the sum of \$2,500.00 per ~~calendar~~ FISCAL year, except by additional appropriate by the Board.
- (d) Unlawful acts; penalties. It shall be unlawful for any person to present a false claim or to receive any money on a false claim under the ordinance, which act shall constitute a class one misdemeanor, punishable by a fine not to exceed \$2,500.00 and/or confinement in jail for a period not to exceed one year.

Mr. Ennis said concerns regarding filing deadlines and extensions in the Land Use Ordinance had been raised, and in comparing to other jurisdictions, found it appeared to be deficient. He said a new ordinance had been drafted for Board review. He said the current one had been adopted in 1974, and gave examples of options available to the Board.

REVISED SPECIAL ASSESSMENT FOR LAND PRESERVATION ORDINANCE

SECTION 70-31 FINDINGS OF FACT

The board of supervisors finds that the preservation of real estate devoted to agricultural and horticultural uses within the county is in the public interest and, having heretofore adopted a land use plan, ordains that such real estate shall be taxed in accordance with the provisions of §58.1-3230 et. seq. of the Code of Virginia, 1950, as amended, and of this article.

SECTION 70-32 APPLICATION FOR CLASSIFICATION; DEADLINE

- (a) The owner of any real estate meeting the criteria set forth in §58.1-3230 and 58.1-3233 of the Code of Virginia, 1950, as amended, may, on or before November 1, apply to the Commissioner of the Revenue for the classification, assessment and taxation of such property for the next succeeding tax year on the basis of its use, under procedures set forth in §58.1-3236 of the Code of Virginia, 1950, as amended.
- (b) In any year in which a general reassessment is being made, the property owner may submit such application until thirty (30) days have elapsed after the notice of increase in assessment is mailed in accordance with §58.1-3330 of the Code of Virginia, 1950, as amended, or sixty (60) days preceding the tax year, whichever is later.
- (c) Such application may be filed any time within such sixty (60) day period immediately preceding the beginning of the next tax year in which such assessment is sought upon the payment of a late filing fee as provided in this article.
- (d) Such application shall be on forms provided by the State Department of Taxation and supplied by the Commissioner of the Revenue and shall include such additional information, including but not limited to schedules, photographs, soil maps, geological surveys, soil conservation plans and the like as may be required by the Commissioner of the Revenue and available to the applicant.
- (e) A separate application shall be filed for each parcel on the land book.
- (f) Each owner of real estate having been previously approved for the classification, assessment and taxation of such property must file annually with the Commissioner of the Revenue a revalidation application on forms provided, by November 1. A timely file revalidation application shall not require a fee. A revalidation application filed after November 1, shall be assessed a late filing fee. A revalidation fee equal to the fee required with the filing of an initial application shall be required every year.
- (g) An application shall be submitted whenever the use or acreage of such land previously approved changes.

SECTION 70-33 DETERMINATION OF USE VALUE BY COMMISSIONER OF THE REVENUE

- (a) Promptly upon receipt of any application, the Commissioner of the Revenue shall determine whether the subject property meets the criteria for taxation hereunder. If the Commissioner of the Revenue determines that the subject property does not meet such criteria, he or she shall determine the value of such property for its qualifying use as well as its fair market value.

- (b) In determining whether the subject property meets the criteria for “agricultural use” or “horticultural use” the Commissioner of the Revenue may request an opinion from the Commissioner of Agriculture and Consumer Services. Upon refusal of the Commissioner of Agriculture and Consumer Services to issue an opinion, or in the event of an unfavorable opinion which does not comport with the standards set forth by the Commissioner, the party aggrieved may seek relief from the Circuit Court of Prince Edward County. If the Court finds in his or her favor, the Court may issue an order which shall serve in lieu of an opinion for the purposes of this article.
- (c) In valuing qualifying real estate for purposes of taxation the Commissioner of the Revenue shall consider only those indicia of value which such estate has for agricultural or horticultural use. In addition to the use of his or her personal knowledge, judgment and experience as to value of real estate in agricultural or horticultural use, he or she shall, in arriving at the value of such land, consider available evidence of agricultural or horticultural capability; and the recommendations of value of such real estate as made by the state land evaluation advisory committee.
- (d) In determining the total area of real estate actively devoted to agricultural or horticultural use, there shall be included in the area of all real estate under barns, sheds, silos, cribs, greenhouses, lakes, dams, ponds, streams, irrigation ditches and like facilities, but real estate under and such additional real estate as may be actually used in connection with the farmhouse or home or any other structure not related to such special use shall be excluded in determining such total area.
- (e) All structures which are located on real estate in agricultural or horticultural use and the farmhouse or home or any other structure not related to such special use and the real estate on which farmhouse or home or such other structure is located, together with the additional real estate use in connection therewith, shall be valued, assessed and taxed by the same standards, methods and procedures as other taxable structures and other real estate in the County.

SECTION 70-34 USE VALUE AND FAIR MARKET VALUE PLACED ON LAND BOOK

The use value and fair market value of any qualifying property under this article shall be placed on the land book before delivery to the treasurer, and the tax for the next succeeding tax year shall be extended for the use value. Such use value shall be reassessed from time to time in accordance with the policies and recommendations of the state land evaluation advisory council, and to comport with more accurate information as it becomes available regarding each piece of land.

SECTION 70-35 ROLL BACK TAX

- (a) There is hereby imposed a roll-back tax and interest thereon, in such amounts as may be determined under §58.1-3237 of the Code of Virginia, 1950, as amended, upon any property as to which the use changes to a non-qualifying use under this article.
- (b) The owner of any real estate liable for roll-back taxes shall report to the Commissioner of the Revenue, on forms to be prescribed, any change in the use of such property to a non-qualifying use and shall pay the roll-back tax then due. On failure to report and pay within sixty (60) days following such change in use, such owner shall be liable for an additional penalty equal to ten (10) percent of the amount of the roll-back tax and interest, which penalty shall be collected as a part of the tax. In addition to such penalty, there is imposed interest on the amount of roll back tax, interest and penalty, at the same interest rate applicable to delinquent taxes in the county for each month or fraction thereof during which the failure continues.

SECTION 70-36 MISSTATEMENT ON APPLICATION

Any person making a material misstatement of fact in any application filed pursuant to this article shall be liable for all taxes, in such amounts and at such times as if such property has been assessed on the basis of fair market value as applied to other real estate in the County, together with interest and penalties thereon, and the owner shall further be assessed with an additional penalty of one hundred (100) percent of such unpaid taxes.

SECTION 70-37 APPLICATION FEES

- (a) A fee of fifty dollars (\$50.00) per parcel shall be required for each application.
- (b) An additional fee of \$_____ shall be required for each application filed after the filing deadline.

Fee Structures Vary By Locality – Examples

\$60.00 per parcel

\$15.00 or 0.15 cents per acre whichever is greater

\$25.00 or 0.25 cents per acre whichever is greater

\$30.00 then \$5.00 per additional parcel

One application Fee if parcels are contiguous and titled in exactly the same name

SECTION 70-38 APPLICABILITY OF STATE LAW

The provisions of the Code of Virginia, Title 58.1, applicable to local levies and real estate assessment and taxation shall be applicable to assessments and taxation under this article, including without limitation, provisions relating to tax liens and the correction of erroneous assessments; and for such purposes the roll back taxes shall be considered to be deferred real estate taxes.

Mr. Ennis reported the Noise Ordinance Committee had prepared a draft of a noise ordinance for review by the Board. He said a limit could be placed on the enforceable hours, and certain sanctioned activities could be exempt.

SECTION 46-31 ENUMERATION OF LOUD AND DISTURBING NOISES

It shall be unlawful for any person to create, cause to be created or allow on property under the person's control or ownership any unreasonably loud or disturbing noise in the county. Noise of such character, intensity or duration as to be detrimental to the life or health of any person or as to unreasonably disturb the quiet, comfort or repose of any person, is hereby prohibited. For purposes of this article, a tenant shall be deemed to be in control of the property contained within his or her tenancy.

The following acts shall be deemed to be loud and disturbing noise in violation of this article, but such enumeration shall not be deemed to be exclusive:

HORN OR SIGNALING DEVICES: The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle except as a reasonable warning; the creation by means of any such signal device of any unreasonable loud or harsh sound; and the sounding of such device for any unreasonable period of time.

TELEVISIONS, RADIOS, COMPACT DISC PLAYERS, OR MUSICAL INSTRUMENTS: The playing of any television, radio, record, tape or compact disc player, MP3 player, digital audio player or other electrical device or any musical instrument in such a manner or with such a volume,

- (a) to permit sound to be heard across a residential real property boundary or through partitions common to two dwellings within a building;
- (b) to be plainly audible at a distance of fifty (50) feet the building in which it is located;
- (c) the sound is plainly audible at a distance of fifty (50) feet from its source.

ANIMALS: The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the quiet, comfort or repose of any person in the vicinity to such an extent as shall constitute a nuisance.

VEHICLES: The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud, grating, grinding, rattling or other noises. Repairing, rebuilding, or modifying any motor vehicle or other mechanical device in the outdoors between the hours of 11:00 p.m. and 6:00 a.m. the following day. Operation of sound amplifying equipment in a motor vehicle at a volume sufficient to be plainly audible at a distance of fifty (50) feet from the vehicle.

EXHAUSTS: The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor vehicle engine except through a muffler or other device which will effectively prevent loud and explosive noises therefrom.

LOADING, UNLOADING AND OPENING BOXES: The creation of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

LOADING, UNLOADING TRUCKS: The loading or unloading of trucks in the outdoors within one hundred (100) yards of a residence between the hours of 11:00 p.m. and 6:00 a.m. the following day.

CONSTRUCTION: The erection, including excavation, demolition, alteration, or repairs of any building or improvement that creates noise that can be heard at adjoining property lines from sunset until 6:00 a.m. the following day except in the case of an emergency.

SECTION 46-32 PENALTY FOR VIOLATION

A violation of any provision of this chapter shall constitute a Class 3 misdemeanor. Each separate act on part of the person violating this article shall be deemed a separate offense, and each day a violation is permitted to continue unabated shall constitute a separate offense.

SECTION 46-33 COMPLAINT REQUIRED

No summons or warrant charging a violation of this article shall be issued except upon the sworn complaint of two (2) persons, each a resident of a separate household, and each alleging facts

within his or her own personal knowledge, or upon complaint by a law enforcement or animal control officer.

SECTION 46-34 EXEMPTIONS

Nothing in this chapter shall apply to law enforcement, ambulances, or other emergency vehicles and personnel, aircraft or any noise or sound created thereby or to any noise or sound created by any person to sound a warning or call attention to a bona fide emergency.

The provisions of this chapter shall not apply to the following:

1. Music, bells or chimes that are part of a bona fide religious service, observation or other such religious event.
2. Bona Fide agricultural activity.
3. Sound generated from a school or county sponsored athletic or recreational event.
4. Locomotives and other railroad equipment.
5. Lawful discharge of firearms.
6. Military activities of the Commonwealth or of the United States of America.
7. Activities sanctioned by a college or university which take place within the confines of the main campus of such college or university.
8. Dances or concerts conducted for the benefit of any benevolent, charitable or educational organization.

Mr. Moore made a motion to authorize public hearings for the Amendments to the County Bounty Ordinance, the Amendments to the Land Use Ordinance, and the Amendments to the County Noise 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: Upcoming

Chairman Fore reminded the Board of the upcoming Region 4 Virginia Association of Counties meeting in Blackstone; he said this is of legislative importance, and asked for a member to represent the Board. He also asked the members to compile a list of policy issues to present. The Legislative Committee, Mrs. Gilfillan, Mr. Simpson and Mrs. Wiley, will meet on Tuesday, March 25, 2008 at 4:00 p.m. to discuss the policy issues to be presented; Mrs. Gilfillan will attend the meeting.

In Re: Closed Session

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. 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
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On motion of Mr. Simpson, seconded by Mrs. Wiley, 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
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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: Animal Warden's Report

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

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

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 meeting was recessed at 9:35 p.m., and will reconvene at 5:00 p.m., Thursday, March 18, 2008 for a Joint Meeting with the Prince Edward County School Board.