

November 17, 2015

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 17<sup>th</sup> day of November, 2015; at 7:00 p.m., there were present:

Pattie Cooper-Jones

Calvin L. Gray

Robert M. Jones

Charles W. McKay

Howard F. Simpson

C. Robert Timmons, Jr.

Jerry R. Townsend

Jim R. Wilck

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

Chairman Simpson called the November meeting to order. Supervisor Gray offered the invocation and led the Pledge of Allegiance.

In Re: Public Participation

**Joyce Stump**, Executive Director, Farmville Area Chamber of Commerce, introduced herself and reviewed the Chamber's goals for the upcoming year. She stated their new website will include photos of the area and the Chamber will be working to cross-promote the region on all of its social media sites. She added the preparations are already underway for the debate which will be held in 2016.

**John Burton**, Program Manager, Farmville Downtown Partnership, introduced himself and reviewed the activities planned for the organization.

**Cam Patterson**, President, Farmville Jaycees, thanked the Board of Supervisors and the citizens for their support of the Jaycees over the years.

Supervisor Timmons made a motion, seconded by Supervisor Townsend, to adopt the Resolution Commending the Farmville Jaycees on the Occasion of Their 75<sup>th</sup> Anniversary; the motion carried:

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

Nay: None

Chairman Simpson presented the Resolution commending the Farmville Jaycees on the occasion of their 75<sup>th</sup> Anniversary.

**RESOLUTION COMMENDING THE FARMVILLE JAYCEES  
ON THE OCCASION OF THEIR 75<sup>TH</sup> ANNIVERSARY**

**WHEREAS**, in 1940, the Farmville Junior Chamber of Commerce (Jaycees) was established; and

**WHEREAS**, in 2015, the Farmville Jaycees are celebrating 75 years of community involvement in Prince Edward County and the Town of Farmville; and

**WHEREAS**, the Jaycees Creed states that “*service to humanity is the best work of life,*” which illustrates the commitment of its members to volunteerism and giving generously of their time and talent to serve their community; and

**WHEREAS**, the Farmville Jaycees have contributed significantly to this community over the years, to include: organizing Polio immunization clinics during the 1960s, helping establish the Prince Edward County Volunteer Rescue Squad, and starting the Farmville Christmas Parade; and

**WHEREAS**, the Farmville Jaycees continue in their efforts to service Prince Edward County and the Town of Farmville through a wide variety of community-oriented and personal development programs;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA**, that the Farmville Jaycees be recognized and commended on this occasion of their 75<sup>th</sup> Anniversary Year, and that all citizens of the Prince Edward County and the Town of Farmville be encouraged to note the significance of their contributions; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be prepared for presentation to the Farmville Jaycees as an expression of the Board of Supervisors’ appreciation of their fine work and in honor of their continuing contribution to the Prince Edward – Farmville community.

**Susan Lawman**, Lockett District, stated that in 1998, Route 748, Watson Road, had been added to VDOT’s 5-Year Plan. Since then it has been changed and she is returning to request the Board’s support in

placing the road on the Six Year Plan under the Rural Rustic Program. She stated there are nine houses on the road; she has a petition signed by 18 owners. This road is a major turnaround for buses, which leads to potholes. She stated the road is approximately one quarter mile long.

In Re: Board of Supervisors Comments

Supervisor Gray welcomed all in attendance and congratulated Supervisor Cooper-Jones on her Certificate of Completion of the Virginia Certified County Supervisors' Program. He asked all to remember the crises in Paris.

Supervisor Timmons welcomed Supervisor-Elect Pride and welcomed Theresa Clark's Social Policy Class. He also recognized Supervisor Cooper-Jones on her achievement, stating that it was awarded by VACo and the Virginia Cooperative Extension; she was one of four graduates of the 18-month program.

Chairman Simpson thanked Supervisor Cooper-Jones and congratulated her and the other Board members that were elected to office.

Supervisor Cooper-Jones thanked everyone for their attendance and for the support for herself, the other elected Board members and Constitutional officers.

Supervisor Townsend congratulated the newly elected and re-elected Board members and stated he is looking forward to working with them.

Supervisor Wilck congratulated Supervisor Cooper-Jones and pointed out that she was also elected to make a speech to VACo and another national organization.

In Re: Consent Agenda

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

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

the Board accepted the Treasurer's Report for September 2015; the minutes of the meeting held October 13, 2015 at 6:00 p.m. and October 13, 2015 at 7:00 p.m.; Accounts and Claims; Salaries; and appropriations as follows:

<b>FY 2016 Budget Amendment</b>						
<b>REV/EXP</b>	<b>FUND</b>	<b>DEPT</b>	<b>OBJECT</b>	<b>DESCRIPTION</b>	<b>DEBIT</b>	<b>CREDIT</b>
3 (Rev)	100	24040	0044	Sheriff DMV Grant – Speed		\$ 4,154
4 (Exp)	100	31200	1200	Salary & Wages O/T Grant-Speed	\$ 4,154	
3(Rev)	100	24040	0045	Sheriff DMV Grant – Alcohol		\$10,220
4(Exp)	100	31200	1203	Salary & Wages O/T Grant-Alcohol	\$ 6,820	
4(Exp)	100	31200	5541	Sheriff Travel – Alcohol Grant	\$ 500	
4(Exp)	100	31200	6023	Sheriff Equipment – Alcohol Grant	\$ 2,900	

**Prince Edward Treasurer's Report - September 2015**

<b>Name of Bank</b>	<b>Bank Balance</b>	<b>Deposit in Transit / Adj.</b>	<b>Outstanding Checks</b>	<b>Available Balance</b>
Benchmark Pooled Fund Account	5,893,635.48			5,893,635.48
Wells Fargo Social Services	24,302.53			24,302.56
Bank of America School Fund	74,111.12			74,111.12
Bank of America Food Service	4,425.06			4,425.06
Benchmark School Fund	458,065.51			458,065.51
Benchmark Food Service	353,063.84			353,063.84
<b>TOTAL</b>				<b>6,807,603.57</b>

**Certificates of Deposit**

Benchmark	558,004.20
Citizens Bank Recreation	16,518.43
Citizens Bank Underground Storage	20,260.84
Farmers Bank	206,189.44
	800,972.91

**GRAND TOTAL** 7,608,576.48

BOARD OF SUPERVISORS

Farmville Herald	Advertising		225.50
Richmond Times Dispatch	Advertising		148.40
Calvin Gray	Mileage		44.56
Robert M. Jones	Mileage		23.00
Charles W. McKay	Mileage		54.05
C. Robert Timmons, Jr.	Mileage		384.10
Jerry R. Townsend	Mileage		198.37
Business Card	VACo Registration		615.00

COUNTY ADMINISTRATOR

US Cellular	Phone		138.48
Business Card	Cancelled reservation	-239.96	
	Meals	42.06	
	Meeting registration	225.00	27.10
National Association of Counties	Dues		465.00
Clerk of Circuit Court	Notary renewal		10.00
Diamond Springs Water, Inc.	Water & equipment rental		22.85
Matthew Bender & Company, Inc.	Credit	-18.15	
	Law Appendix 2015 Ed	47.08	
	2015 R Vols 4A & 5B	139.10	168.03

COMMISSIONER OF REVENUE

Treasurer of Virginia	Online service		76.86
Key Office Supply	Ink cartridges / folders	353.99	
	Ink cartridges	457.94	811.93
M & W Printers, Inc.	Freight on RE / PP books		20.11

TREASURER

Treasurer of Virginia	Online service		76.86
University of Virginia	District meeting		140.00
Key Office Supply	Desk organizers	154.36	
	Sorter	38.59	
	Sheet protectors	17.79	
	Tape	19.08	229.82
M&W Printers, Inc.	Real estate bills	1,294.27	
	Personal Property bills	2,021.99	3,316.26

INFORMATION TECHNOLOGY

Business Data of Virginia, Inc.	Contract agreement	3,700.00	
	Travel expenses	1,850.00	
	Lodging	100.00	5,650.00
ComputerPlus Sales / Service	Printer service contract		79.00

ELECTORAL BOARD AND OFFICIALS

Gwendolyn Akers-Booker	Salary		1,042.66
Samuel A. Martin, Jr.	Salary		521.34
Gordon V. Smith	Salary		521.35
Unilect Corporation	Software maintenance contract		4,345.00
Farmville Newsmedia	Advertising		128.13

	<u>REGISTRAR</u>		
Lynette Wright	Postage	18.60	
	Mileage	50.60	69.20

	<u>GENERAL DISTRICT COURT</u>		
US Cellular	Phone		24.21
Key Office Supply	Toner		232.79
Mail Finance	Equipment lease		179.99
STEPS, Inc.	Shredding service		70.00

	<u>SPECIAL MAGISTRATES</u>		
Key Office Supply	Ink cartridge		197.78

	<u>CLERK OF THE CIRCUIT COURT</u>		
CenturyLink	Phone		48.51
Machelle J. Eppes	Mileage	173.76	
	Lodging	387.80	
	Registration	235.00	796.56
Jennifer Bowen	Juror		30.00
Donna Browning	Juror		30.00
C. Wayne Call	Juror		30.00
Avis Gresby	Juror		30.00
Samuel Trent	Juror		30.00
Brad Watson	Juror		30.00
Patricia A. Bailey	Juror		60.00
Inetta M. Brown	Juror		60.00
Brian C. Caldwell	Juror		60.00
Mary L. Carver	Juror		60.00
Thelma E. Dews	Juror		30.00
Shirley E. Dove	Juror		60.00
Peggy E. Dunn	Juror		30.00
Mark L. Finch, Sr.	Juror		30.00
Sondra S. Garnett	Juror		60.00
Linda Y. Gilliam	Juror		60.00
Maureen M. Haake	Juror		30.00
Felice D. Hines	Juror		60.00
Anita A. Johnson	Juror		60.00
Brenda D. Lee	Juror		30.00
Janet C. Loeser	Juror		60.00
Jose A. Lozano	Juror		30.00
Donald L. Neathery	Juror		60.00
Sylvia V. Palmer	Juror		60.00
Brenda J. Robinson	Juror		30.00
Chaquitta Scott-Tillerson	Juror		60.00
Brenda L. Smith	Juror		30.00
Deborah M. Snead	Juror		60.00
Richard K. Spittle	Juror		60.00
John C. Thompson	Juror		60.00
Matthew T. Wahrman	Juror		30.00

Martin G. Watkins	Juror		60.00
Priscilla A. Watson	Juror		60.00
Patricia M. Watts	Juror		60.00
Dennis R. Williams	Juror		30.00
Patricia J. Winborne	Juror		60.00
Iris M. Woodard	Juror		60.00
Patricia S. Yance	Juror		30.00
Walter D. Bryant	Juror		30.00
George E. Evans	Juror		30.00
Joseph E. Garcia, Jr.	Juror		30.00
Wendy S. Gray	Juror		30.00
Ronald Gulick	Juror		30.00
Nicholas B. Kelsey	Juror		30.00
Ricky A. Looney	Juror		30.00
Thomas E. Miller, Jr.	Juror		30.00
Graham R. Nunnally	Juror		30.00
Patricia S. Vance	Juror		30.00
Key Office Supply	Planners	133.93	
	Copy paper	320.82	
	Pens / pencils	149.58	604.33
Thomson Reuters-West	Probate handbooks		562.00

LAW LIBRARY

AT&T	Phone		42.33
CenturyLink	Phone		40.78
LexisNexis	Subscription - 2 months		536.00
Matthew Bender & Company, Inc.	Law Appendix 2015 Ed	47.08	
	Jury Inst Crim R#16	287.31	
	Rvols 4A & 5B	139.10	473.49
Thomson Reuters-West	Probate handbook		281.00

COMMONWEALTH'S ATTORNEY

U. S. Postal Service	Box rent		144.00
Treasurer of Virginia	IPad service		131.22
Brian Butler	Mileage		70.73
STEPS, Inc.	Shredding service		35.00
Key Office Supply	Laser cartridge	337.90	
	Canon cartridges	199.98	
	Wall calendar	12.99	550.87
VA Lawyers Weekly, Inc.	Subscription		369.00

VICTIM WITNESS ASSISTANCE PROGRAM

Cindy Sams	Mileage	100.63	
	Lodging	188.26	288.89

SHERIFF

Commtronics of Virginia	Radio repair		643.14
B & G Automotive	Auto repair		69.95
East End Motor Company, Inc.	Oil change	56.60	
	Inspection / light	33.75	

	Valve / oil change / filters	750.66	
	Oil change / rotation	73.91	914.92
Kenbridge Tire & Auto	Calibrations		425.00
Computer Projects of IL	VCIN annual maintenance		173.40
Business Card	Postage	156.20	
	Parking	56.50	
	Meals / lodging	1,040.64	
	CPR Instructor	670.00	
	Gas	68.00	
	4-Wheeler battery	109.50	
	Shirts	136.82	
	Lights	1,177.86	3,415.12
Treasurer of Virginia	VCIN		52.74
Kinex Networking Solutions	Remote data backup		19.95
CenturyLink	Phone	10.52	
	VCIN	7.97	18.49
US Cellular	Phone		48.78
Robert Goldman	Meals		53.66
Sarah Coen	Meal		10.72
VA Sheriff's Association	Dues		1,605.00
Business Data of Virginia, Inc.	Norton updates		119.80
Diamond Springs Water, Inc.	Water & equipment rental		166.55
Key Office Supply	Labels / post-its	39.32	
	Dust off	4.99	
	Canon cartridges	439.96	
	Phone cord	7.19	
	DVDs	20.39	
	Sharpies	38.97	550.82
Staples Advantage	Office supplies	1,109.82	
	Batteries / wipes	111.49	1,221.31
STEPS, Inc.	Shredding service		54.00
Walmart Community / RFCSLLC	Office supplies	24.87	
	Camera / ammo / hard drive	315.08	339.95
Southside Electric Cooperative	Virso community site		9.98
O. O. Stiff, Inc.	Port-a-john rental		129.51
Ellington Energy Service	Gas		35.12
Kustom Signals, Inc.	Car camera keys		20.20
Quality Uniform Company, Inc.	Jacket	130.00	
	Uniforms	76.00	206.00
Southern Police Equipment Company	Mourning bands	30.00	
	Duty holders	69.99	
	Shoes	64.00	163.99
Matthew Bender & Company, Inc.	2015 Rvols 4A & 5B		139.10
Galls, LLC	Speakers / siren / bracket	456.00	
	Siren / speaker	456.00	912.00
R. K. Chevrolet, Inc.	2016 Tahoe		32,330.00
Rockwell Audio	Install equipment / tint	1,335.97	
	Swap radio / check wiring	69.00	1,404.97



FARMVILLE VOLUNTEER FIRE DEPARTMENT

Fire Protection Equipment Company	Chest strap kit	67.58	
	Chrome plug	86.87	154.45
GearGrid Corporation	Lockers		1,563.00
Creative Monogramming	Polo shirts		70.00
McNeil & Company, Inc.	Insurance renewal		2,590.00
Municipal Emergency Service	Chargers		256.88
Treasurer of Virginia	Text / work books		588.60

RICE VOLUNTEER FIRE DEPARTMENT

Benchmark Community Bank	Truck payment		21,777.32
Dominion Virginia Power	Electric service		689.01

PROSPECT VOLUNTEER FIRE DEPARTMENT

Fisher Auto Parts, Inc.	Truck cleaning supplies		19.98
Foster Fuels, Inc.	Propane		230.71
Pamplin Exxon	Fuel	52.10	
	Battery	10.13	62.23
Prince Edward County Public Schools	Diesel		232.94
Taylor-Forbes Equipment Company	Hydro fluid / gear		77.62
Prince Edward County Treasurer	Gas		140.67

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

Cyrus Pest Control Company	Exterminating service		45.00
Darlington Heights Volunteer Fire Dept.	Training manuals		162.33
Southside Electric Cooperative	Electric service		485.22

HAMPDEN-SYDNEY VOLUNTEER FIRE DEPARTMENT

BB&T Governmental Finance	Truck payment		14,178.46
Arc3 Gases	Cylinder rental		125.86
Fire & Safety Equipment Company	US Flags	79.98	
	Safety light / red cone	79.90	159.88
Hampden-Sydney College	Diesel	324.82	
	Postage	2.42	
Keplinger Repair Service, Inc.	Auto pump		524.05
Dominion Virginia Power	Electric service		355.99

PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone		108.62
Alert-All Corporation	Fire safety mo. Supplies		368.00
Appomattox Farm & Home	Vehicle parts		39.00
Blue Ridge Rescue Suppliers	Annual service		645.00
Farmville Wholesale Electric	Building maintenance supplies		190.27
Foster Fuels	Propane		304.25
Jamerson Building Supply	Fittings / strainer basket		50.69
Pamplin Exxon	Fuel		206.49
Price Supply Company, Inc.	Capacitor / flapper	13.80	
	Faucet / lever	66.64	80.44
Verizon	Phone		178.51
Vest's Sales & Service, Inc.	Protective gear		697.02

Dominion Virginia Power	Electric service	943.82
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MEHERRIN VOLUNTEER FIRE DEPARTMENT

Motorola Solutions, Inc.	Battery / charger	311.97
Parker Oil Company, Inc.	Diesel	538.85
Verizon	Phone	180.61
Dominion Virginia Power	Electric service	452.87

FOREST FIRE PREVENTION

State Forester	Forest fire control	11,687.22
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EMERGENCY SERVICES

Timmons Group	E-911 Addressing	495.00
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REGIONAL JAIL & DETENTION

Piedmont Regional Juvenile Detention Center	Juvenile detention	7,875.00
Piedmont Regional Jail	Inmate days - 2nd quarter	280,236.89

BUILDING OFFICIAL

East End Chevron	Oil change	37.69
US Cellular	Phone	24.21

ANIMAL CONTROL

Lowe's	Plumbing supplies	39.34
Dominion Virginia Power	Electric service	66.65
CenturyLink	Phone	98.02
US Cellular	Phone	48.42
Mark D. Cronk	Meals	76.26
Business Card	Lodging	190.00
Walmart Community / RFCSSLIC	Sprayers & tape	32.15

REFUSE DISPOSAL

Resource International	Misc work tasks	1,555.75	
	Storm water compliance	825.50	
	Groundwater monitoring	3,896.25	6,277.50
Lowe's	Filter		30.39
East End Motor Company, Inc.	Flat repair		34.50
NAPA of Farmville	Exhaust fluid		25.98
Rod & Staff, LLC	Repair dumpster	587.15	
	Pin & bushing	137.50	724.65
Republic Services #974	Trash collection		410.07
Wright's Excavating, LLC	Landfill operation		48,093.75
Emanuel Tire of Virginia	Tire recycling		1,564.80
STEPS, Inc.	Recycling fee		3,015.86
Southside Electric Cooperative	Darlington Heights site	75.69	
	Virso site	74.20	149.89
Dominion Virginia Power	Rice site	61.18	
	Cell C pump station	15.12	
	Green Bay site	60.65	

	Leachate pump	350.99	
	Worsham site	61.08	
	Prospect site	66.11	
	Scalehouse	64.47	
	Landfill site	34.27	713.87
AT&T	Phone		56.94
CenturyLink	Phone		298.36
Ranson's, Inc.	Slim-line phone		14.99
US Cellular	Phone		24.21
Verizon	Phone		131.95
O. O. Stiff, Inc.	Monthly service		702.50
Prince Edward County Public Schools	Diesel		1,942.87
NAPA of Farmville	Trailer turn lamp		27.49

SANDY RIVER RESERVOIR

Timmons Group	SRR Dam inspection		2,230.00
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GENERAL PROPERTIES

Dodson Brothers Exterminating	Pest control - Cannery	38.00	
	Pest control - Worsham	38.00	
	Pest control - SCOPE	38.00	
	Pest control - Courthouse	85.00	
	Pest control - Visitor's Center	38.00	237.00
ThyssenKrupp Elevator	Service contract - Oct-Dec		2,606.88
Southside Electric Cooperative	SRR lights		32.10
Dominion Virginia Power	Roy Clark monument	8.18	
	Courthouse	14,223.13	
	Sheriff Department shed	8.78	
	Worsham Clerk Office	21.09	
	Lights at Rice	111.01	
	Ag building	876.85	
	Shop	25.85	15,274.89
Town of Farmville	Water & sewer		164.21
AT&T	Phone		42.33
CenturyLink	Phone		135.05
US Cellular	Phone		123.63
O. O. Stiff, Inc.	Monthly service		100.00
Aramark	Janitorial supplies		594.80
Diamond Paper Company	Trash bags / towels		1,329.50
Lowe's	Janitorial supplies	40.24	
	Batteries	10.77	
	Concrete mix	5.98	
	Fuel can / grease gun	55.01	
	Batteries / gloves	53.12	
	Nuts	5.78	
	Belt	4.74	175.64
Air Conditioning Equipment	HVAC BCM-ETH card		3,407.00
Arc3 Gases	Masks & gloves		46.35
Business Card	Water fountain tube		247.78
Diamond Springs Water, Inc.	Equipment rental		8.95

East End Chevron	Ice		4.20
Farmville Wholesale Electric	Ballasts		130.96
Grainger	Handicap park signs		122.96
Hudson-Payne Electronics	Smoke detector		316.50
Pairet's, Inc.	Signs		55.00
Cintas Corporation #524	Uniform rental		357.24
Prince Edward County Public Schools	Diesel		326.31
East End Motor Company, Inc.	Patch tube	23.00	
	Flat repair	40.87	63.87
Fisher Auto Parts, Inc.	Oil & filter		82.15
NAPA of Farmville	Oil / filters / towels		121.70

CANNERY

Virginia Food Works	Contract payment		2,916.67
Oden Machinery, Inc.	O-rings		43.85
Southside Electric Cooperative	Electric service		481.65
Ellington Energy Service	Heating oil		692.00
Parker Oil Company, Inc.	Heating oil		520.65
CenturyLink	Phone		239.05
Farmville Printing	Business cards		39.00
Key Office Supply	Lexmark ink		30.54
Diamond Paper Company	Gloves		125.16
Grainger	Gloves / seal	173.97	
	Bearings	25.58	
	Thermometer	42.36	241.91
Lowe's	Paper towels		16.16

COMPREHENSIVE SERVICES ACT

Accurate Interpretation	Foster care		800.00
Bear Creek Academy	Professional service		3,465.00
Blue Ridge Autism & Achievement Center	Professional service		5,800.00
Rescare / Braley & Thompson	Professional service		6,030.00
Center for Pediatric Therapies	Professional service		3,040.00
Centra Health	Professional service		11,880.00
Elk Hill	Professional service		7,140.00
Grafton School, Inc.	Professional service		26,902.25
Ifetayo Imanchinello	Foster care		2,085.00
Ashley Long	Foster care		4,222.00
Northstar Academy, Inc.	Professional service		3,438.00
United Methodist Family Services	Professional service		2,870.40

MUSEUMS

Bug Busters Pest Control	Termite inspection		110.00
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PLANNING

Farmville Herald	Advertising		164.00
US Cellular	Phone		57.47
Rob Fowler	Mileage		243.80
Business Card	Dues		25.00

	<u>ECONOMIC DEVELOPMENT</u>		
Business Card	Meals	374.92	
	Depot Plan Cover Sheet	6.31	381.23
	<u>TOURISM</u>		
Dominion Virginia Power	Electric service		172.50
Town of Farmville	Water & sewer		47.65
Business Card	UPS		53.44
CenturyLink	Phone		386.88
	<u>COOPERATIVE EXTENSION OFFICE</u>		
CenturyLink	Phone		107.70
	<u>GENERAL EXPENSE</u>		
Lumos Networks	Phone		2,612.36
Petroleum Traders Corporation	Gas		10,743.08
	<u>CAPITAL PROJECTS</u>		
James P. Baber	Purchase property		19,193.70
Loveverde Construction, LLC	Install wall-clerk		7,500.00
Metal Roof & Building	Courthouse roof design phase		2,600.00
	<u>SCHOOL CONSTRUCTION FUND</u>		
McGuire Woods, LLP	Closing documents		17,500.00
Dunlap & Partners	Roofing inspections		3900
	<u>WATER FUND</u>		
Town of Farmville	Water		59.44
	<u>SEWER FUND</u>		
Dominion Virginia Power	Sewer pump		37.00
	<u>RETIREMENT BENEFIT FUND</u>		
Vicki K. Johns	Retiree benefit		1,129.00
	<u>PIEDMONT COURT SERVICES FUND</u>		
Dominion Virginia Power	Electric service		147.95
Mail Finance	Postage meter lease		190.68
CenturyLink	Phone		74.44
Lumos Networks	Phone		576.30
Sheila Edmonds	Mileage		59.80
Connie Stimpson	Mileage		11.18
Jessica Harding	Mileage	104.07	
	Newspapers	2	106.07
Renee T. Maxey	Mileage		136.84
Andy Mays	Mileage		74.75
Ashley Nash	Mileage		265.63
Megan Newman	Mileage		196.65
Jeanene Rice	Mileage		112.68

PCS SUPERVISION FEES EXPENDITURES

Glen R. Peterson	Consultant fee	3,000.00
SRP Corporation, LLC	Rent	2,500.00
Connie Stimpson	PCCJB Dinner meeting	512.08

PCS DRUG TESTING FEES

Alere Toxicology Services, Inc.	Drug testing fees	58.44
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In Re: Highway Matters

Kevin Wright, Residency Administrator, VDOT, stated that, to address Ms. Lawman’s issue, the road does qualify for the Rural Rustic Program and he will review the criteria and will keep it in the upcoming Six Year Plan file. He then stated the Watson Boulevard project and the Back Hampden-Sydney Road project are completed; currently there is guard-rail work being done on Route 460 near Rice. He said crews are wrapping up the secondary mowing; they have been working non-stop on the primary and secondary roadways.

Mr. Wright then presented information from the Residency Focus Safety Workshop, which looked at data compiled by safety engineers of the locations and types of accidents in the county. He stated 20 fatalities occurred in Prince Edward County; this information is used to determine work necessary on the roadways to make them safer. Mr. Wright stated seat belts were not being used in half of the accidents; it is a no-cost solution.

Supervisor Gray thanked Mr. Wright for the presentation and for his taking time to look at areas of concern in the Prospect district.

Supervisor Timmons requested a study to be done on Abilene Road as it has the second highest instance of accidents; he suggested a change to the speed limit. Mr. Wright stated the traffic engineers look at this report often in the selection of determining which roads to work on.

Supervisor Timmons then requested a status on the trim tractor to cut back the trees; Mr. Wright stated there are three boom axes which will be running non-stop.

Supervisor Timmons then requested VDOT examine the guard rail at the box culvert; Mr. Wright stated the traffic engineers have reviewed it and it is considered a “borderline location.” He will have the engineers check on the guardrail needs for that location and search for a funding source.

Supervisor Timmons stated the warning posts for the curve in Hampden-Sydney near the new section need chevrons. Mr. Wright stated they are being replaced with new ones and the branches will be trimmed.

Supervisor Jones asked about the status of the intersection of Route 460 and Route 307. Mr. Wright stated that project was submitted under the House Bill 2 process; all grant applications are being screened and a determination should be made in two to three weeks. It would then move on to a scoring process by a statewide group. He stated it could be spring before we hear about the outcome.

In Re: Public Hearing – Waterfowl Hunting at Sandy River Reservoir

Chairman Simpson announced that this was the date and time scheduled for a public hearing on a proposed amendment to the County's *Sandy River Reservoir Ordinance* regarding Sunday waterfowl hunting. Notice of this hearing was advertised according to law in the Friday, November 6, 2015 and Friday, November 13, 2015 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Bartlett stated that at its October 2015 meeting, the Board discussed waterfowl hunting which is allowed at the Sandy River Reservoir. With the recent changes in state hunting regulations, which now permit Sunday hunting, the Board of Supervisors has the option of establishing whether Sunday waterfowl hunting is permitted at the Sandy River Reservoir. As written, the County's Sandy River Reservoir Ordinance enables Sunday waterfowl hunting.

The Board authorized a Public Hearing on a proposed amendment to the County Ordinance that would prohibit Sunday waterfowl hunting. The proposed amendment to Section 82-31(a)(4), as provided by the County Attorney, is as follows:

Sec. 82-31

- (4) Hunting or trapping of any type, kind or description without an express written permit issued by the County of Prince Edward, with the exception of waterfowl hunting, which requires no county permit. **No hunting of any kind shall be allowed on Sunday.**

Chairman Simpson opened the public hearing.

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

Supervisor McKay made a motion, seconded by Supervisor Cooper-Jones, to approve the amendment to prohibit Sunday waterfowl hunting at the Sandy River Reservoir; the motion carried:

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

**ORDINANCE TO REGULATE AND PROTECT THE  
SANDY RIVER RESERVOIR AND ADJACENT COUNTY-OWNED PROPERTIES  
IN ACCORDANCE WITH SECTION 15.1-13 OF THE  
CODE OF VIRGINIA 1950, AS AMENDED**

Sec. 82-31.

- (a) The following activities are hereby declared to be unlawful in that part of Lockett Magisterial District of Prince Edward County known as Sandy River Reservoir and on any County-owned property surrounding the reservoir:
- (1) Presence of persons, boats, or other personal property at anytime in areas marked "No Trespassing," without the express written permission of the county administrator.
  - (2) Parking on any County-owned property surrounding the reservoir other than in the Sandy River Reservoir Public Use Area located off Route 640, at the end of Route 792, or in any other area specifically designated by the Prince Edward County Board of Supervisors as a Public Parking Area.
  - (3) Littering or dumping of any type, kind or description.
  - (4) Hunting or trapping of any type, kind or description without an express written permit issued by the County of Prince Edward, with the exception of waterfowl hunting, which requires no county permit. **No hunting of any kind shall be allowed on Sunday.**
  - (5) Conducting fishing tournaments in which prizes are awarded without an express written permit issued by the County of Prince Edward and Department of Game and Inland Fisheries.
  - (6) Diving, snorkeling or swimming of any type, kind or description.
  - (7) Operation in or on the reservoir of any unlicensed watercraft or any type of watercraft propelled by an engine in excess of ten (10) horsepower.
  - (8) Operation in or on the reservoir of a windsurfer, sailboard or any wind-propelled vessel, other than a sailboat, length of which shall not exceed sixteen (16) feet.



- (9) Operation in or on the reservoir of any jet ski.
- (10) Sale of any and all commodities or services anywhere in either the reservoir or the County-owned property surrounding the reservoir, as well as the posting of any kind of advertisement of any description, unless sanctioned by the County of Prince Edward.
- (11) Discharging any firearm, including but not limited to any weapon which propels a projectile by pneumatic means, unless sanctioned by the County of Prince Edward.
- (12) Possession of any type of alcoholic beverage while on the premises.
- (13) Presence on the reservoir or the County-owned property surrounding the reservoir by any person under the age of twelve (12) years, unless such person is accompanied by an individual who is at least twenty-one (21) years of age.
- (14) Camping and lighting or maintaining any kind of fire, unless such activity has been sanctioned or is sponsored by the County.
- (15) Use of any of the County-owned property surrounding the reservoir by any person riding any type of motorized or non-motorized vehicle, bicycle or horse and use of any part of the reservoir or such County-owned property for ice skating or sledding, unless any such use has been expressly sanctioned by the County.
- (16) The use of any of the County-owned property surrounding the reservoir, other than those areas specifically designated by the County as such, for boat access to and from the reservoir including, but not limited to construction of piers, docks and access roads. Individuals owning property adjacent to the county buffer who have a county-approved and permitted boat access ramp shall continue to be responsible for the soil erosion and sedimentation measures and for the safe maintenance and upkeep of the ramp. The permit is not transferable to any future owners of the property. Permittee must carry liability insurance and show annual proof thereof.
- (17) Cutting, removing or altering any trees, brush or other vegetation now growing or hereafter established in the reservoir or on the County-owned property surrounding the reservoir and removing, altering or otherwise disturbing the reservoir or any County-owned land surrounding the reservoir.
- (18) Withdrawal of water for any purpose, with the exception that adjacent property owners with express written permission from Prince Edward County may withdraw reasonable amounts of water for irrigation and domestic purposes until such time as water therein is used for public water supply.
- (19) Stocking of any fish or other aquatic species in the reservoir or animal on the County-owned property, without written permission of Prince Edward County and the Department of Game and Inland Fisheries.
- (20) The siting of dwellings not closer than 200 feet from the normal pool elevation of the reservoir, so long as the soil treatment area is located not less than 500 feet from the normal pool elevation of the reservoir.

(21) Discharging a firearm, as defined in paragraph 11 of this section, on any county-owned land, on or within 300 feet of a public parking area.

- (b) The Board of Supervisors may, by resolution, authorize the construction and maintenance of public utilities, including electrical supply lines, water and sewer treatment plants, water and sewer supply lines, and telecommunications transmission lines that benefit the public at large and are constructed and maintained by a public utility company, Prince Edward County, or by a public utility authority created pursuant to state law, on Sandy River Reservoir and on any County-owned property surrounding the Sandy River Reservoir. As a condition of said authorization, the entity responsible for the construction or maintenance of the public utility shall restore the affected property to the same condition as it existed on the date of the authorization, and shall maintain the area in that condition for the duration of the authorization, to the extent that is practical and consistent with prevailing utility maintenance practices in the Commonwealth of Virginia.
- (c) Except for those activities specifically authorized by the Board of Supervisors pursuant to Paragraph (b), any person who shall knowingly commit any of the acts declared unlawful in (a) above, shall, on conviction of a first offense of a violation of this section, be guilty of a Class 1 misdemeanor as same as defined in Section 18.2-11 of the Code of Virginia, 1950, as amended.

(Ord. of 7-9-96; Ord. of 11-12-98; Ord. of 9-14-99; Ord. of 10-10-00, Ord. of 6-10-08, Ord. of 11-12-08, Ord. 10-9-12, Ord. 9-8-15.)

In Re: South Central Workforce Investment Board

Ms. Debra Crowder, Director of South Central Workforce Investment Board (WIB) presented information about the WIB's workforce programs. She stated the federally funded program is to increase opportunities for citizens to find better jobs, train for those jobs and have support services while they are in training. WIOA (Workforce Innovation and Opportunity Act) also works closely with educational communities, post-secondary and economic development; they also provide activities to increase the rate of employment, the rate of people retaining their jobs, and increasing the amount of money they are able to make in their jobs. It is not an entitlement program; there is an eligibility process. Discussion followed.

Supervisor Wilck questioned the low walk-in count for Prince Edward County. Ms. Crowder stated the current location is not ideal and they have not yet been able to find a new space; the rent to collocate with the VEC was cost prohibitive. She said space is necessary for an office with several computers, a copier, and a fax machine to use for job applications.

In Re: Resolution – County EMS Response

Mrs. Sarah Puckett stated the proposed resolution addresses EMS response within the County of Prince Edward. The County has four agencies that provide EMS response to county residents:

Prince Edward Volunteer Rescue Squad, Inc.  
Hampden-Sydney Volunteer Fire Department, Inc.  
Meherrin Volunteer Fire & Rescue, Inc.  
Pamplin Volunteer Fire Department and EMS, Inc.

Mrs. Puckett stated the impetus for this resolution is the relicensing process for the Hampden-Sydney First Responder. The State Office of EMS has asked the County to provide a resolution recognizing them as integral to the County’s EMS response. All of the County’s EMS agencies are included in the resolution to represent the overall response plan for the County.

Supervisor Timmons made a motion, seconded by Supervisor Gray, to adopt the Resolution Adopting an Emergency Medical Services Response Plan for the County of Prince Edward; the motion carried:

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

**RESOLUTION ADOPTING AN EMERGENCY MEDICAL SERVICES  
RESPONSE PLAN FOR THE COUNTY OF PRINCE EDWARD**

**WHEREAS**, regulations governing Emergency Medical Services (EMS) in the Commonwealth of Virginia, as codified in 12VAC5-31-370, mandate that each EMS agency that responds to medical emergencies for its primary service area shall be a Designated Emergency Response Agency (DERA), and shall provide services within its primary service area as defined by the local EMS response plan as required by EMS regulation 12VAC5-31-610; and

**WHEREAS**, the following EMS agencies are Designated Emergency Response Agencies as defined by EMS Regulation 12VAC5-31-10 in Prince Edward County:

Prince Edward Volunteer Rescue Squad, Inc.  
Hampden-Sydney Volunteer Fire Department, Inc.  
Meherrin Volunteer Fire & Rescue, Inc.  
Pamplin Volunteer Fire Department and EMS, Inc.; and

**WHEREAS**, Prince Edward County has been divided into seven fire districts which are identified on the Fire District Response Map maintained by the Farmville 911 Communications Center; and

**WHEREAS**, the individual EMS agencies are independent corporations that are best able to determine compliance with EMS regulations and to formulate a response plan for their primary service areas;

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA**, that the EMS primary service areas in Prince Edward County, Virginia, shall be assigned according to fire department response areas, as follows:

1. Prince Edward Volunteer Rescue Squad, Inc., shall have a primary EMS response area that is coterminous with the following fire district(s): Farmville, Company 1; Hampden-Sydney, Company 2; Prospect, Company 4; Darlington Heights, Company 6; and Rice, Company 7.
2. Hampden-Sydney Volunteer Fire Department, Inc. shall have an Emergency Medical Responder primary response area coterminous with the following fire district(s): Hampden-Sydney, Company 2; and Darlington Heights, Company 6;
3. Meherrin Volunteer Fire & Rescue, Inc. shall have a primary EMS response area that is coterminous with the following fire district(s): Meherrin, Company 5, and
4. Pamplin Volunteer Fire Department and EMS, Inc. shall have a primary EMS response area that is coterminous with the following fire district(s): Pamplin, Company 3;

**BE IT FURTHER RESOLVED**, that the individual designated EMS agencies shall establish an EMS response plan as required by EMS Regulation 12VAC5-31-610 which shall apply to the agency's primary response area and shall file a copy of that plan with the Prince Edward County Administrator; and

**BE IT FURTHER RESOLVED**, that the designated EMS agencies shall document compliance with the established EMS response capability, unit mobilization interval, and the responding interval standards contained in the individual plans.

In Re: Amendments to the County Animal Control Ordinance

Mrs. Puckett stated that prior to his departure, Deputy County Attorney Morgan Greer reviewed the County's Animal Control Ordinance and has proposed a number of amendments to bring it into agreement with the Code of Virginia. The Board discussed the proposed amendments.

Mrs. Puckett reviewed an additional amendment to those presented, Section 10.21, regarding coyotes and the bounty.

After some discussion, Supervisor Timmons made a motion, seconded by Supervisor Wilck, to authorize advertisement of a public hearing on the proposed amendments to the County Animal Control Ordinance to include the removal of Section 10.21; the motion carried:

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

Nay: None

## **CHAPTER 10 ANIMALS**

### **ARTICLE I. IN GENERAL**

Sec. 10-1. Adoption of state comprehensive animal laws.  
Sec. 10-2. Definitions

#### Division 1. Containment of livestock.

Sec. 10-10. Purposes; legislative authority.  
Sec. 10-11. Lawful fence.

#### Division 2. Miscellaneous animal regulations.

Sec. 10-20. Disposal of Companion Animals  
Sec. 10-21. ~~Killing of coyotes permitted; bounty established; procedures for claims.~~

### **ARTICLE II. ANIMAL CONTROL OFFICERS**

Sec. 10-30. Position created.  
Sec. 10-31. Dog operating fund.

### **ARTICLE III. DOGS**

#### Division 1. Generally

Sec. 10-40. Disposal of dead dogs.  
Sec. 10-41. Unlawful acts.

#### Division 2. License Tax

Sec. 10-50. Unlicensed dogs prohibited.  
Sec. 10-51. How to obtain license.  
Sec. 10-52. Amount of license tax.  
Sec. 10-53. Kennel license tax.  
Sec. 10-54. When license tax payable.  
Sec. 10-55. Effect of dog not wearing collar as evidence.  
Sec. 10-56. What dog license shall consist of.  
Sec. 10-57. Duplicate license tags.  
Sec. 10-58. Displaying receipts; dogs to wear tags.  
Sec. 10-59. Payment of license tax subsequent to summons.

Division 3. Rabies Control

- Sec. 10-60. Vaccination required.
- Sec. 10-61. Rabies clinic authorized.
- Sec. 10-62. Dogs or Cats Not Vaccinated.
- Sec. 10-63. Quarantine authorized.

Division 4. Running at Large

- Sec. 10-70. Prohibited.
- Sec. 10-71. Unlicensed dogs prohibited.

Division 5. Impoundment

- Sec. 10-80. County dog pound.
- Sec. 10-81. Confinement and disposition of dogs.
- Sec. 10-82. Fees for confinement.
- Sec. 10-83. Unlicensed dogs.

Division 6. Damage by Dogs

- Sec. 10-90. Disposition of funds.
- Sec. 10-91. Compensation for livestock and poultry killed or injured by dogs.
- Sec. 10-92. Seizure of dogs suspected of killing or injuring livestock or poultry.

Division 7. Dangerous or Vicious Dogs

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

**~~ARTICLE IV. WILD OR EXOTIC ANIMALS.~~**

- ~~Sec. 10-110. Display or exhibition.~~
- ~~Sec. 10-111. Keeping as a pet.~~
- ~~Sec. 10-112. Notice required at place of sale.~~
- ~~Sec. 10-113. Penalty.~~
- ~~Sec. 10-114. Enforcement.~~
- ~~Sec. 10-115. Effective date.~~

**ARTICLE V. HYBRID CANINE**

- Sec. 10-120. Definitions
- Sec. 10-121. Hybrid canine ordinance; penalty.

**ARTICLE I. IN GENERAL**

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

The provisions of Code of Virginia of 1950, § 3.1-796.66 et seq., are adopted and made a part of this chapter as fully as though set forth in this section.

**Sec.10-2. Definitions.**

For the purpose of this chapter the following words and phrases shall have the following meanings unless otherwise defined within this chapter. Words and phrases not defined herein, which are defined in section 3.1-796.66 of the Code of Virginia shall have the meanings ascribed to them by that section:

*ANIMAL CONTROL OFFICER* means a person appointed as the animal control officer or a deputy animal control officer pursuant to Virginia law to enforce the Virginia Comprehensive Animal Laws, this Chapter, and all laws for the protection of domestic animals.

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

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

*WILD OR EXOTIC ANIMAL* means any raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx or any other warm-blooded animal, poisonous snake or tarantula which can normally be found in the wild state or any other member of crocodylian, including but not limited to alligators, crocodiles, caimans and gavials. Ferrets, nonpoisonous snakes, rabbits and laboratory rats which have been bred in captivity and which never have known the wild shall be excluded from this definition.

### **Sec. 10-3 Penalties**

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 4 misdemeanor. *[Note: This covers any situation where a punishment is not specified.]*

## **DIVISION 1. CONTAINMENT OF LIVESTOCK**

### **Sec. 10-10. Purposes; legislative authority.**

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

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

### **Sec. 10-11. Lawful fence.**

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

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

(c) Any such owner or manager, after having been notified by an officer of the law that such animal is running at large, permits such animal to continue to run at large, shall be deemed to have violated this section and shall be guilty of a Class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.1-796.128, 18.2-03.1, 18.2-03.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.

## **DIVISION 2. MISCELLANEOUS ANIMAL REGULATIONS**

### **Sec. 10-20. Disposal of companion animals.**

(a) The owner of any companion animal which has died from disease or other cause shall forthwith cremate or bury or sanitarily dispose of the companion animal.

(b) If after notice any owner fails to comply with this section, the animal control officer or other officer cremate or bury or sanitarly dispose of the companion animal; and may recover on behalf of the county from the owner the cost of this service.

**Sec. 10-21. Killing of coyotes permitted; bounty established; procedures for claims.**

(a) The killing 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 amount of bounties to be paid under this division shall not exceed the sum of \$2,500.00 per calendar year, except by additional appropriation 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 this division, which act shall constituted a Class 1 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.1-796.128, 18.2-03.1, 18.2-03.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.

## **ARTICLE II. ANIMAL CONTROL OFFICERS**

### **Sec. 10-30. Position created.**

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

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

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

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

### **Sec. 10-31. Dog operating fund.**

The dog operating fund shall consist of the funds received from dog license taxes and fines imposed for the violation of the provisions of this chapter.

Fees for services provided by the animal control officer, or for reclaiming animals, not otherwise specified within this Chapter shall be set by resolution of the Board of Supervisors.

## **ARTICLE III. DOGS**

### **DIVISION 1. GENERALLY**

#### **Sec. 10-40. Disposal of dead dogs.**

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



**Sec. 10-41. Unlawful acts.**

The following shall be deemed unlawful acts the violation of which shall be a Class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.1-796.128, 18.2-03.1, 18.2-03.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section:

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

**DIVISION 2. LICENSE TAX**

**Sec. 10-50. Unlicensed dogs prohibited.**

It shall be unlawful for any person to own a dog four months or older unless such dog is licensed as required by the provisions of the Code of Virginia, § 3.1-796.85, and this division.

Any person violating this section shall be guilty of a class 4 misdemeanor and, upon their first offense of this section and shall be guilty of a Class 3 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.1-796.128, 18.2-03.1, 18.2-03.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.

**Sec. 10-51. How to obtain license.**

Dogs shall be licensed as provided by Code of Virginia, § 3.1-796.86, by reference, which section is adopted and made a part of this chapter by reference as fully as though set forth at length in this section.

**Sec. 10-52. Amount of license tax.**

(a) Pursuant to the authority of Code of Virginia, § 3.1-796.87, any person licensing a dog in the county shall pay an annual license tax on the ownership of the dog according to the following schedule:

Male dog . . .	\$10.00
Unsexed (castrated) male dog . . .	\$ 5.00
Female dog . . .	\$10.00
Unsexed (spayed) female dog . . .	\$ 5.00

(b) No license tax shall be levied on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for a deaf or hearing-impaired person, or that is trained and serves as a service dog for a mobility-impaired or otherwise disabled person, or any dog under four months of age. [Note: 2014 amendment to Section 3.2-6528.]

**Sec. 10-53. Kennel license tax.**

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

5--20 dogs . . .	\$35.00
Over--20 dogs . . .	\$50.00

**Sec. 10-54. When license tax payable.**

The license tax imposed by this division shall be payable to the treasurer of the county, as required by Code of Virginia, § 3.1-796.88, which section is adopted and made a part of this chapter as fully as though set forth at length in this section.

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

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

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

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

**Sec. 10-57. Duplicate license tags.**

Duplicate license tags shall be obtained by the owner of a dog as provided by Code of Virginia, § 3.1-796.91, which section is adopted by reference and made a part of this chapter as if fully set forth in this section.

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

Dog license receipts shall be displayed and dog license tags shall be worn as required by Code of Virginia, § 3.1-796.92.

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

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

**DIVISION 3. RABIES CONTROL**

**Sec. 10-60. Vaccination required.**

It shall be unlawful for any person to own a dog or domesticated cat, age four months or older unless such dog or cat has been inoculated or vaccinated against rabies by a duly licensed veterinarian or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises. No license tags shall be issued for any dog unless there is presented to the treasurer at the time application for license is made evidence satisfactory to the treasurer, showing that such dog has been inoculated or vaccinated against rabies by a duly licensed veterinarian or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises, and that such inoculation or vaccination remains valid for the time application for license is made. Any person violating this section shall be guilty of a class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.1-796.128, 18.2-03.1, 18.2-03.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section.

**Sec. 10-61. Rabies clinic authorized.**

The board of supervisors finding that the number of resident veterinarians is inadequate to meet the need, the county health department shall provide a rabies clinic at least once per year.

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

Any dog or cat found in the county not vaccinated and identified as described in this subdivision shall be impounded by the animal control officer, and such dogs shall be held for a period of five days. The dog or cat may be returned to its owner upon proof of

ownership, vaccination of the dog or cat, and payment of the cost of impounding the dog or cat at usual rates, and payment of any fines assessed under the provisions of this division. At the expiration of the five-day period, any dog or cat not so claimed by its owner may be disposed of by giving it into the possession of any person willing to pay the cost of impounding, vaccination and license. If not so disposed of, the dog or cat shall be euthanized in an humane manner by the impounding officer or other designated official.

**Sec. 10-63. Quarantine authorized.**

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

**DIVISION 4. RUNNING AT LARGE**

**Sec. 10-70. Prohibited.**

(a) It shall be unlawful for any person to permit any dog, belonging to him or under his control, to run at large in the county at any time from March 1 to August 31. For the purpose of this division, a dog shall be deemed to be running at large while roaming or running or self-hunting off the property of its owner or custodian and not under the owner's or custodians' immediate control. Any person, after having been notified by any animal control officer or other officer of the law that the dog is running at large, who is the owner or custodian of the dog thereafter found running at large shall be deemed to have violated the provisions of this section.

(b) This section shall not apply to any person or persons while engaging in the following activities:

- (1) Lawful hunting with a dog or dogs;
- (2) Law enforcement or search and rescue activity;
- (3) A supervised formal obedience training class or show;
- (4) Formally sanctioned field trials; or
- (5) Bona fide hunting or field trial dog training.

(c) A violation of this section shall constitute a Class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.1-796.128, 18.2-03.1, 18.2-03.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section; however, if the dog is a dangerous or vicious dog, a violation of this section shall constitute a Class 1 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§ 3.1-796.128, 18.2-03.1, 18.2-03.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as if fully set forth in this section .

(d) Should the animal control officer or any law enforcement officer have reason to believe that any dog found running at large is dangerous to the health, safety or property of any person, such officer may order the confinement of such animal by delivering a confinement order to the owner or custodian of such animal and any person who thereafter permits such animal to run at large or remain unconfined, unrestricted or not penned up shall be deemed to have violated this section. Should the animal not be confined within six hours after the delivery of the confinement order or should the animal control officer or other officer, after due diligence, be unable to deliver the confinement order to the owner or custodian of such animal, the animal control officer or any other law enforcement officer shall impound any such vicious or destructive dog pursuant to the provision of section 6-197. Upon the issuance of the confinement order, or the impoundment of such animal to appear in the general district court of the county where the matter shall be heard on criminal warrants and the animal shall remain confined until the final disposition of the court proceeding; However, for the purposes of this section the owner or custodian of such dog shall be conclusively presumed to have known the dog to be vicious or destructive if at any time prior to the running at large of such animal the

owner or custodian has received from any person a complaint that the animal is dangerous to the health, safety or property of any person.

**Sec. 10-71. Unlicensed dogs prohibited.**

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

**DIVISION 5. IMPOUNDMENT**

**Sec. 10-80. County Public Animal Shelter**

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

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

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

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

*[NOTE: 3.2-6546(C) provides “In addition to this and any other fees that might be levied, the locality may, after a public hearing, adopt an ordinance to charge the owner of an animal a fee for impoundment and increased fees for subsequent impoundments of the same animal.”]*

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

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

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

*[Note: The term “pound” replaced with “shelter” in 2014, two categories of “shelter” – “private” and “public” distinguished.]*

The animal control officer shall cause to be maintained a pound or enclosure as required by Code of Virginia, § 3.1-796.96.

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

It shall be the duty of the animal control officer to confine and dispose of dogs pursuant to provisions of Code of Virginia, § 3.1-796.66 et seq.

**Sec. 10-82. Fees for confinement.**

~~The legal owner of any dog seized and confined by the animal control officer shall pay to the animal control officer a charge for the confinement of the dog, the amount of such charge to be in accordance with the fees established by the board of supervisors. All fees received by the animal control officer shall be paid over to the county treasurer.~~

**Sec. 10-83. Unlicensed dogs.**

(a) It shall be the duty of the animal control officer, or any other officer, to capture and impound any companion animal found running at large on which the license tax has not been paid. A reasonable effort will be made to find the owner. After five days, if the owner is not found, the animal shall be declared abandoned. If the owner is known, the animal will be held an additional five days. The provisions of Code of Virginia, § 3.1-796.96 shall apply where applicable to the disposition of the dog. Any person, animal control officer or other officer euthanizing a dog under this chapter shall cremate, bury or sanitarily dispose of the dog. Prior to the disposition by euthanasia or otherwise, all of the provisions of Code of Virginia, § 3.1-796.66 et seq., shall have been complied with.

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

**DIVISION 6. DAMAGE BY DOGS**

**Sec. 10-90. Disposition of funds.**

The treasurer shall keep all money collected by him for dog licenses in a separate account as part of the general fund; and such funds shall be used for the purposes designated by Code of Virginia, § 3.1-796.101, which section is adopted by reference and made a part of this chapter as if fully set forth in this section.

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

(a) Any person who has any livestock or poultry killed or injured by any dog not his own in the county shall be entitled to receive as compensation the fair market value of such livestock or poultry not to exceed \$400.00 per animal or \$10.00 per fowl, provided that:

- (1) Within 72 hours of discovery of the death or injury, the claimant gives notice of the incident to the animal control officer.
- (2) Within 60 days of the discovery of the death or injury, the claimant shall furnish such evidence of the quantity and value of the dead or injured livestock or poultry and the reasons the claimant believes that death or injury was caused by a dog to the board of supervisors.
- (3) The claimant first has exhausted his legal remedies against the owner, if known, of the dog doing the damage for which compensation under this section is sought. Exhaustion shall mean a judgment against the owner of the dog upon which execution has returned unsatisfied.

(b) Upon a determination by the board that a claim meets the criteria set forth in this section for compensation, the board shall approve the same and forward the approval to the treasurer. Upon payment under this section, the board shall be surrogated to the extent of compensation paid to the right of action to the owner of the livestock or poultry against the owner of the dog and may enforce such compensation in an appropriate action at law.

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

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

## **DIVISION 6. DANGEROUS OR VICIOUS DOGS**

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

(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.

"Vicious dog" means a canine or canine crossbreed that has (i) killed a person; (ii) inflicted serious injury to a person, or (iii) continued to exhibit the behavior that resulted in a previous finding by a court or, on or before July 1, 2006, by an animal control officer as authorized by local ordinance, that it is a dangerous dog, provided that its owner has been given notice of that finding. [Note: 2013 amendment to the Code of Virginia separated "vicious" dogs from 3.2-6540 and placed it in the newly created 3.2-6540.1.]

(b) Any law-enforcement officer or animal control officer who has reason to believe that a canine or canine crossbreed within his jurisdiction is a dangerous dog or vicious dog shall apply to a magistrate of the jurisdiction for the issuance of a summons requiring the owner or custodian, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law-enforcement officer successfully makes an application for the issuance of a summons, he shall contact the local animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous or vicious. The animal control officer shall confine the animal until such time as evidence shall be heard and a verdict rendered. If application is made for a dangerous dog and [ Note: current version of the Code does not allow discretion in permitting "vicious" dogs to remain with owners pending hearing ] the animal control officer determines that the owner or custodian can confine the animal in a manner that protects the public safety, he may permit the owner or custodian to confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a dangerous dog, the court shall order the animal's owner to comply with the provisions of this section. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of § ~~3.1-796.119~~ of the Code of Virginia, 1950, as amended. The procedure for appeal and trial shall be the same as provided by law for misdemeanors. Trial by jury shall be as provided in Article 4 (§ ~~19.2-260~~ et seq.)

of Chapter 15 of Title 19.2 of the Code of Virginia, 1950, as amended. The Commonwealth shall be required to prove its case beyond a reasonable doubt.

(c) No canine or canine crossbreed shall be found to be a dangerous dog or vicious dog solely because it is a particular breed, nor is the ownership of a particular breed of canine or canine crossbreed prohibited. No animal shall be found to be a dangerous dog or vicious dog if the threat, injury or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal's owner or custodian, (ii) committing, at the time, a willful trespass upon the premises occupied by the animal's owner or custodian, or (iii) provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog that was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a dangerous dog or a vicious dog. No animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, shall be found to be a dangerous dog or a vicious dog.

(d) If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this section.

(e) The owner of any animal found to be a dangerous dog shall, within 10 days of such finding, obtain a dangerous dog registration certificate from the local animal control officer or treasurer for a fee of \$50, in addition to other fees that may be authorized by law. The local animal control officer or treasurer shall also provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. **By January 31 of each year, until such time as the dangerous dog is deceased, all certificates obtained pursuant to this subsection shall be updated and renewed for a fee of \$85 and in the same manner as the initial certificate was obtained.** The animal control officer shall provide a copy of the dangerous dog registration certificate and verification of compliance to the State Veterinarian. §3.2-6540(E)

(f) All dangerous dog registration certificates or renewals thereof required to be obtained under this section shall only be issued to persons 18 years of age or older who present satisfactory evidence (i) of the animal's current rabies vaccination, if applicable, (ii) that the animal has been neutered or spayed, and (iii) that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this section shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that (i) their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property and (ii) the animal has been permanently identified by means of a tattoo on the inside thigh or by electronic implantation. All certificates or renewals thereof required to be obtained under this section shall only be issued to persons who present satisfactory evidence that the owner has liability insurance coverage, to the value of at least \$100,000, which covers animal bites. The owner may obtain and maintain a bond in surety, in lieu of liability insurance, to the value of at least \$100,000. §3.2-6540(F)

(g) While on the property of its owner, an animal found to be a dangerous dog shall be confined indoors or in a securely enclosed and locked structure of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults, or other animals. The structure shall be designed to provide the animal with shelter from the elements of nature. When off its owner's property, an animal found to be a dangerous dog shall be kept on a leash and muzzled in such a manner as not to cause injury to the animal

or interfere with the animal's vision or respiration, but so as to prevent it from biting a person or another animal.

(h) The owner of any dog found to be dangerous shall register the animal with the Commonwealth of Virginia Dangerous Dog Registry, as established under § 3.1-796.93:3 of the Code of Virginia, 1950, as amended, within 45 days of such a finding by a court of competent jurisdiction.

The owner shall also cause the local animal control officer to be promptly notified of (i) the names, addresses, and telephone numbers of all owners; (ii) all of the means necessary to locate the owner and the dog at any time; (iii) any complaints or incidents of attack by the dog upon any person or cat or dog; (iv) any claims made or lawsuits brought as a result of any attack; (v) tattoo or chip identification information or both; (vi) proof of insurance or surety bond; and (vii) the death of the dog.

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

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

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

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

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

(l) All fees collected pursuant to this section, less the costs incurred by the animal control authority in producing and distributing the certificates and tags required by this section, shall be paid into a special dedicated fund in the treasury of the locality for the purpose of paying the expenses of any training course required under § 3.1-796.104:1 of the Code of Virginia, 1950, as amended.

## **ARTICLE VI. WILD OR EXOTIC ANIMALS (Repealed August 14, 2007)**

## **ARTICLE V. HYBRID CANINE.**

### **Section 10-120 Definitions.**



As used in this article:

1. "Hybrid canine" means any animal that is or can be demonstrated to be a hybrid of the domestic dog and any other species of the Canidae family; that at any time has been permitted, registered, licensed, or advertised as such, or that at any time has been described, represented or reported as such by its owner to a licensed veterinarian, law-enforcement officer, animal control officer, humane investigator, official of the Department of Health, or State Veterinarian's representative.

2. "Adequate confinement" means that, while on the property of its owner and not under the direct supervision and control of the owner or custodian, a hybrid canine shall be confined in a humane manner in a securely enclosed and locked structure of sufficient height and design to (i) prevent the animal's escape; or if the hybrid canine is determined to be a dangerous dog pursuant to § 3.2-6540, the structure shall prevent direct contact with any person or animal not authorized by the owner to be in direct contact with the hybrid canine, and (ii) provide a minimum of 100 square feet of floor space for each adult animal. Tethering of a hybrid canine not under the direct supervision and control of the owner or custodian shall not be considered adequate confinement.

3. "Responsible ownership" means the ownership and humane care of a hybrid canine in such a manner as to comply with all laws and ordinances regarding hybrid canines and prevent endangerment by the animal to public health and safety.

4. "Owner" means any person who (a) has a right or property in an animal, (b) keeps or harbors an animal, (c) has an animal in his care, or (d) acts as a custodian of an animal.

**Section 10-121. Hybrid canine ordinance; penalty.**

1. It shall be unlawful for the owner or custodian to allow any hybrid canine to run at large in the country during the period of January 1 through December 31 inclusive of any year. For the purpose of this section, a hybrid canine shall be deemed to be running at large while outside of any pen or enclosure as provided in subsection 2 of this section, however, any owner or custodian of a hybrid canine may be allowed to remove a hybrid canine from any pen or enclosure for purposes of transportation to another pen or enclosure or for the purpose of obtaining medical attention. In no event shall any hybrid canine be allowed to be set free on any property within the county whether or not the hybrid canine is under its owner's or custodian's immediate control.

2. It shall be unlawful to own or possess a hybrid canine unless such hybrid canine is kept and maintained in a pen or enclosure as follows:

(a) The pen or enclosure shall contain at least 200 square feet of space per adult hybrid canine.

(b) Any fencing used in the construction of the pen or enclosure shall be at least eight (8) feet in height with an additional overhang of fencing or barbed wire angling a minimum of three (3) feet into the pen or enclosure. Such wire enclosure shall be of such strength as to prevent the escape of any hybrid canine enclosed therein.

(c) To prevent digging out along the fence, concrete footers at least one (1) foot wide and six (6) inches deep shall be installed along the perimeter of the pen or enclosure or a wire footing of 12-gauge wire buried six (6) inches in the ground with at least three feet of wire on the inside of the pen or enclosure, bending the remaining one (1) foot of

wire up in a 90° angle and connect every six (6) inches to the bottom outside of the pen or enclosure.

(d) The pen or enclosure shall provide shelter which affords complete protection from all elements of nature.

(e) A violation of this ordinance shall be a Class 3 misdemeanor for the first violation and a Class 1 misdemeanor for any second or subsequent offense. Upon a conviction of a second violation of this ordinance, the owner shall surrender the hybrid canine to the animal control officer for euthanasia in accordance with § 3.1-796.119 of the Code of Virginia, 1950, as amended.

In Re: County Administrator's Report

Surplus Property – Mr. Bartlett stated that since the County has purchased the new waste management truck, the old one, a 2000 Mack Roll-off, is now excess. He stated if the Board declares it surplus, County staff can sell it.

Supervisor Timmons made a motion, seconded by Supervisor Gray, to declare the 2000 Mack Roll-off truck as surplus and authorized the County Administrator to sell the truck; the motion carried:

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

Resignation of Deputy County Attorney – Mr. Bartlett reviewed the letter of resignation from Deputy County Attorney Morgan Greer.

Board Strategic Planning Retreat - Mr. Bartlett stated four additional requests for bids were sent out with only one response; he said he will send more in a few weeks. Mr. Bartlett stated the Retreat will most likely be held sometime in February 2016.

Courthouse Roof Repair

Mr. Bartlett stated the response to an RFP brought in proposals from two companies; the RFP has been re-advertised. A mandatory meeting for any interested companies will be held December 2

In Re: Personnel Committee Report

Commonwealth Attorney's Office

Mr. Bartlett reported the Personnel Committee met Thursday, November 12, 2015; the Committee is comprised of Supervisor Simpson (Chair), Supervisor Timmons and Supervisor Townsend. The Committee met to discuss various requests from the incoming Commonwealth Attorney. There will be considerable personnel changes in the office. One administrative staff member and two attorneys have announced they will be leaving or have already left.

The Administrative Associate II has announced her retirement. Ms. Clark has offered that position to the employee filling the County funded secretarial position and is requesting a salary of \$35,000. That will leave the secretarial position open which she is requesting to fill. Morgan Greer has already left; Mr. Ennis advertised the opening and allowed Ms. Clark to interview and select his replacement. She has done so and would like to offer the incoming attorney a salary of \$58,000. Brian Butler has decided to leave the office and Ms. Clark has selected Robert Bauer to become the Chief Deputy and is requesting a salary of \$70,000. That would still leave one attorney to be hired and the county funded secretarial position.

The Personnel Committee agrees with Ms. Clark's requests. Additionally, the Committee is recommending the Commonwealth Attorney's salary be \$119,516; this is the minimum Compensation Board salary and continues the policy of paying newly elected Constitutional Officers the minimum salary when first elected. This was done for both the Treasurer and the Commissioner of Revenue. Additionally, the Committee recommends the County's Personnel Policy be amended (Section 4.2-C) to institute that newly elected Constitutional Officers start at the minimum Compensation Board salary.

Supervisor Timmons made a motion, seconded by Supervisor Wilck, to approve the request for the secretarial position salary of \$35,000, the new attorney salary of \$58,000 and Chief Deputy salary of \$70,000; to set the Commonwealth Attorney salary of \$119,516; and to amend the County's Personnel

Policy, Section 4.2-C to institute that newly elected Constitutional Officers start at the minimum Compensation Board salary; the motion carried:

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

Holiday Schedule

Mr. Bartlett stated the Personnel Committee reviewed the Holiday Schedule for 2016.

Supervisor Timmons made a motion, seconded by Supervisor Cooper-Jones, to approve the proposed Holiday Schedule for 2016, and to amend the County Personnel Policy by deleting Section 8.4-A-2 which permitted the Board of Supervisors to designate additional holidays; the motion carried:

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

In Re: Closed Session

Supervisor Cooper-Jones made a motion, seconded by Supervisor Wilck, that the Board convene in Closed Session for discussion of the disposition of publicly-held real property in the Prince Edward County Industrial Park, where discussion in an open meeting would adversely affect the negotiating strategy of the County, pursuant to the exemption provided for in Section 2.2-3711(A)(3) of the *Code of Virginia*; and for discussion and consideration of a specific public office, the County Attorney, pursuant to the exemption provided for in Section 2.2-3711(A)(1) of the *Code of Virginia*; the motion carried:

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

Nay: None

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

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

Nay: None

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

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

Nay: None

the 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 October 2015, which was reviewed and ordered to be filed with the Board papers.

In Re: Building Official's Report

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

In Re: Cannery

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

In Re: Cannery (Commercial)

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

In Re: Prince Edward County Public Schools

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

In Re: Cooperative Extension Report

Ms. Jennifer R. Bowen, Senior Extension Agent, submitted the Third Quarterly Report for the VCE Prince Edward County Office, which was reviewed and ordered to be filed with the Board papers.

In Re: Tourism and Visitor Center Report

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

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

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

the meeting was adjourned at 9:40 p.m.