



**Prince Edward County Planning Commission
Meeting Minutes
January 17, 2017
7:00 pm**

Members Present: John Townsend, Chairman Chris Mason, Vice Chairman
 Donald Gilliam Mark Jenkins
 Clifford Jack Leatherwood Robert "Bobby" Jones
 John Pregelman Cannon Watson

Absent: Preston L. Hunt, John "Jack" W. Peery, Jr.

Staff Present: Rob Fowler, Director of Planning & Community Development

Mr. Rob Fowler, Director of Planning & Community Development, called the January 17, 2017 organizational meeting to order at 7:00 p.m.

Election of Chairman

Mr. Fowler called for nominations for the position of Chairman. Commissioner Jones nominated Commissioner Townsend, seconded by Commissioner Pregelman. Mr. Fowler called for any additional nominations. There being none, he closed nominations. The motion carried:

Aye: Donald Gilliam Nay: (None)
 Mark Jenkins
 Robert M. Jones
 Clifford Jack Leatherwood
 Chris Mason
 John Pregelman
 John Townsend, III
 Cannon Watson

Absent: Preston C. Hunt, John "Jack" W. Peery, Jr.

Mr. Fowler turned the meeting over to Chairman Townsend.

Election of Vice-Chairman

Chairman Townsend called for nominations for the position of Vice-Chairman. Commissioner Watson nominated Commissioner Mason, seconded by Commissioner Pregelman. Chairman Townsend called for further nominations; there being none, he called for the vote for Commissioner Mason as Vice-President. The motion carried:

Aye: Donald Gilliam
Mark Jenkins
Robert M. Jones
Clifford Jack Leatherwood
Chris Mason
John Prengaman
John Townsend, III
Cannon Watson

Nay: (None)

Absent: Preston C. Hunt, John "Jack" W. Peery, Jr.

Set Day, Time and Place of Regular Meetings

Chairman Townsend called for suggestions regarding the regular meeting schedule.

Chairman Townsend made a motion, seconded by Commissioner Mason, to hold the regular Planning Commission meetings on the third Tuesday of the month at 7:00 p.m. in the Board of Supervisors room of the Courthouse; the motion carried:

Aye: Donald Gilliam
Mark Jenkins
Robert M. Jones
Clifford Jack Leatherwood
Chris Mason
John Prengaman
John Townsend, III
Cannon Watson

Nay: (None)

Absent: Preston C. Hunt, John "Jack" W. Peery, Jr.

Chairman Townsend requested a meeting schedule for 2017 be distributed.

Adoption of Commission Bylaws

Chairman Townsend emphasized Section 16 of the By-Laws, regarding the Certified Planning Commissioner's Training Program; he highly recommended the members to attend.

Commissioner Prengaman made a motion, seconded by Commissioner Jenkins, to adopt the Bylaws as presented; the motion carried:

Aye: Donald Gilliam
Mark Jenkins
Robert M. Jones
Clifford Jack Leatherwood
Chris Mason
John Prengaman
John Townsend, III
Cannon Watson

Nay: (None)

Absent: Preston C. Hunt, John "Jack" W. Peery, Jr.

**Bylaws Of
Prince Edward County Planning Commission**

- 1) Meetings shall be held on a monthly basis, normally on the third Tuesday of the month at 7:00 P.M. in the Board of Supervisor's room. The schedule may be altered at any regularly scheduled meeting. Meetings may be cancelled due to lack of business, but the Commission shall meet at least every two months.
- 2) Additional meetings may be held at any time upon the call of the chairman, or by a majority of the members of the commission, or upon request of the Board of Supervisors following at least twenty-four hours' notice to each member of the commission.
- 3) The commission at its regular meeting in January of each year shall elect a chairman and vice-chairman. The recording secretary shall be the Director of Planning and Community Development or a designated alternate, who shall make an audiotape of the proceedings of each meeting and prepare minutes for the permanent records of the commission.
- 4) The duties and powers of the officers of the planning commission shall be as follows:
 - A. Chairman
 - Preside at all meetings of the commission.
 - Call special meetings of the commission in accordance with the bylaws.
 - Sign documents of the commission.
 - See that all actions of the commission are properly taken.
 - B. Vice-Chairman

During the absence, disability, or disqualification of the chairman, the vice-chairman shall exercise or perform all duties and be subject to all the responsibilities of the chairman.
 - C. Recording Secretary
 - Prepare an audiotape of the proceedings of each meeting of the commission.
 - Prepare minutes from the audiotape of each meeting in detail sufficient to include the tenor of public comments and the commission's reasoning underlying each decision or recommendation.
 - Circulate a copy of the minutes to each member of the commission before the next meeting.
 - Prepare the agenda for all commission meetings.
 - Be custodian of commission records.
 - Inform the commission of correspondence relating to business of the commission and attend to such correspondence.
 - Handle funds allocated to the commission in accordance with its directives, state law, and county ordinances.
 - Sign official documents of the commission.
- 5) All maps, plats, site plans, and other materials submitted to the commission shall be filed in the office of the Director of Planning and Community Development and maintained for public access until the project to which they relate has been completed or vacated. Minutes of the commission's meetings shall be permanently filed in the office of the planner and maintained for public access.

- 6) Matters referred to the commission by the Board of Supervisors shall be placed on the calendar for consideration and possible action at the first meeting of the commission after the referral and appropriate public notification.
- 7) A majority of the members of the commission shall constitute a quorum for the transaction of business, but no quorum shall be required for informational meetings at which no action is to be taken.
- 8) Reconsideration of any decision of the commission may be taken when the interested party for such reconsideration makes a showing satisfactory to the chairman that, without fault or deliberate omission on his own part, essential facts were not presented to the chairman.
- 9) Roberts Rules of Order for Committees shall govern the commission's proceedings in all cases not specifically ordered by these bylaws.
- 10) Order of consideration of agenda items in a public hearing:
 - Director of Planning and Community Development or other staff member presents report including summary of all comments (written, electronic and verbal) received from interested parties and makes a recommendation.
 - Commission members may question the staff member on the presentation.
 - Proponent(s) of the agenda item make presentations as appropriate.
 - Opponent(s) of the agenda item make presentations as appropriate.
 - Applicant make rebuttal of objections not previously covered.
 - Commission members may question applicant, proponents, or opponents or may offer comments on the agenda item.
 - Commission may opt to gather additional information about the matter and take action at a future meeting, or vote on recommendation, whether approving or denying request, to Board of Supervisors.
- 11) Any member of the commission who has any personal or financial interest in any matter before the commission shall declare the nature of that interest and shall if the interest constitutes a legal conflict of interest by Virginia law recuse him/herself from the deliberations on that matter, including lobbying other members, participating in the discussions, or voting on the matter. In cases where the interests do not raise to the level of legal conflict of interest by Virginia law, a member may voluntarily recuse him/herself in the interest of avoiding the appearance of conflict. All commission members shall be sensitive to the importance of impartiality and shall endeavor to always avoid any actual or appearance of conflict of interest.
- 12) Each member of the commission who has knowledge that he/she will be unable to attend a scheduled meeting of the commission shall notify the County Administrator's office at the earliest opportunity. The Director of Planning and Community Development shall notify the chairman if projected absences will produce a lack of quorum. Members who are absent from three consecutive meetings, or who are absent from more than half of the commission's meetings during a calendar year, will be referred to the Prince Edward County Board of Supervisors for possible replacement.
- 13) The vice-chairman shall succeed the chairman if he vacates his office before his term is completed. A new vice-chairman shall be elected at the next regular meeting.
- 14) These bylaws may be recommended for amendment at any meeting having a quorum present by a majority vote, provided that notice of such proposed amendment has been given to each member in writing at least two weeks prior to its consideration. If recommended for approval, proposed amendments must then be adopted by the Board of Supervisors before becoming effective.
- 15) Planning Commission members are strongly encouraged to attend a Virginia Certified Planning Commissioner's Training Program within two years of their appointment to the Planning

Commission. This certification course will provide a basic foundation of planning law, history, and technical expertise needed by planning commissioners to maximize their competency and ability to render legally defensible decisions and recommendations. Costs associated with the program will normally be paid by Prince Edward County.

Commissioner Hunt entered the meeting at this time.

Approval of Minutes: October 25, 2016 & December 13, 2016

Chairman Townsend made a motion, seconded by Commissioner Jones, to postpone the review of the meeting minutes from October 25, 2016 and December 13, 2016 until the February meeting; the motion carried:

Aye:	Donald Gilliam	Nay:	(None)
	Preston C. Hunt		
	Mark Jenkins		
	Robert M. Jones		
	Clifford Jack Leatherwood		
	Chris Mason		
	John Prengaman		
	John Townsend, III		
	Cannon Watson		
Absent:	John "Jack" W. Peery, Jr.		

In Re: Public Hearing – Special Use Permit – W.C. Newman Co., Inc., and Adams Construction

Chairman Townsend announced this was the date and time scheduled for a Public Hearing to receive citizen input prior to considering a request for a Special Use Permit by W. C. Newman Co., Inc. and Adams Construction to allow a lighted monument sign. Notice of this hearing was advertised according to law in the Friday, January 6, 2017 and Friday, January 13, 2017 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Rob Fowler, Planning and Community Development Director, stated Prince Edward County received a special use permit application to permit the installation of one lighted free standing sign located at 10630 Prince Edward Highway, on Tax Map Parcel 21-A-83B, owned by High Bridge Realty, Inc. The free-standing sign will be approximately six feet in height, and 32 square feet of signage. The property is zoned A2, Agricultural Residential. Section 2-200.3 of the Prince Edward County Zoning Ordinance permits lighted signs by Special Use Permit.

Mr. Fowler stated there has been no opposition.

Commissioner Mason questioned if the sign being proposed would be located on High Bridge Realty property. Mr. Robert Atkinson stated the property splits down the road; technically the sign would be on Adams Construction property or [would be a] cooperative sign, together.

Chairman Townsend opened the public hearing.

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

Commissioner Jones made a motion, seconded by Commissioner Prengaman, to approve placement of the lighted sign on 10630 Prince Edward Highway, Tax Map Parcel 21-A-83B, with specification as presented; the motion carried:

Aye: Donald Gilliam
Preston C. Hunt
Mark Jenkins
Robert M. Jones
Clifford Jack Leatherwood
Chris Mason
John Prengaman
John Townsend, III
Cannon Watson

Nay: (None)

Absent: John "Jack" W. Peery, Jr.

In Re: Public Hearing – Proposed Zoning Ordinance Amendment

Chairman Townsend announced this was the date and time scheduled for a Public Hearing to receive citizen input prior to considering a request for a proposed Zoning Ordinance Amendment to allow Transitional Housing Facilities in the A1, Agricultural Conservation and A2, Agricultural Residential Districts by Special Use Permit. Notice of this hearing was advertised according to law in the Friday, January 6, 2017 and Friday, January 13, 2017 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Fowler stated Prince Edward County staff was contacted recently regarding the process to establish a Transitional Housing Facility in the A1, Agricultural Conservation zoning district. After reviewing the current Zoning Ordinance, there is not a use classification that would allow this type of use. Staff suggested that the Planning Commission add a classification of "Transitional Housing Facilities" as a use allowed by Special Use Permit in the A1, Agricultural Conservation and A2, Agricultural Residential districts.

Mr. Fowler stated a joint meeting with the Board of Supervisors was held in December [2016]; the Board referred it back to the Planning Commission. Mr. Fowler said many people feel there is a need, and each proposed location would need to apply for a Special Use Permit and carry on its own merit. He added a definition would need to be adopted, and any facility would need to follow the current fire and building codes. He said several other localities allow such use, an emergency shelter with less than ten people, as a permitted use by right.

Commissioner Hunt asked if there are other possible locations; he said the County should have something like this. Mr. Fowler stated the Commissioners need to decide on the amendment and into which districts this would be most appropriate.

Commissioner Mason stated he felt the potential definition should be more specific, but the Special Use Permit process, theoretically, would allow for details of each case.

Mr. Fowler stated these facilities provide more than just overnight housing; some offer job assistance and training. Some offer shelter for 30 days to six months. Each location is different. The definition would allow the County to have someone build a facility or enable them to have a temporary overnight facility. He said churches have been doing it but facilities are not normally available during holidays. Discussion followed.

Commissioner Prengaman stated each would need to be on a case by case basis.

Chairman Townsend opened the public hearing.

Joe Huddleston, Buffalo District, stated he is one of 29 that signed the petition in opposition of this type of facility anywhere in the County. He said a facility of this sort should be in the Town for safety reasons.

There being no one further wishing to speak, Commissioner Townsend closed the public hearing.

Commissioner Watson stated there is a need outside churches for this type of facility; if the churches could handle it, there wouldn't be a need.

Commissioner Mason said each would be handled by a Special Use Permit, each could be tweaked on a case by case basis.

Chairman Townsend stated the Commission will take ten minutes to review letters of support received from the public. After a few minutes, Chairman Townsend stated most of the letters have to do with the Special Use Application, and there is a need for a facility of this type in the County.

Commissioner Jones stated the Rescue Mission uses churches to house people within the Town limits; he questioned if the churches are outside of the Town limits, and there is nothing in place in the Ordinance, are they in violation. Mr. Fowler said if nothing is put in the Ordinance, they would be in violation. He said several localities allow churches do this in the harsh weather and have created an administrative policy; they must comply with the fire marshal and other building regulations. That is the trend of a lot of localities. Chairman Townsend understands that is an accessory use of a church.

Commissioner Jones questioned if the Town of Farmville has a facility of this sort; Mr. Fowler stated they have been discussing it, but have tabled the issue.

Chairman Townsend stated this would contribute to Prince Edward County. He said there is a need, but because of feedback from the public and personal feelings, he would have to err on the side of caution and not recommend this be approved. Discussion followed.

Chairman Townsend said while there are regulations regarding facilities such as this to follow fire and building codes, there are no licensing requirements to ensure the services provided are handled in the proper manner.

Chairman Townsend made a motion, seconded by Commissioner Gilliam, to not recommend the addition of a Transitional Housing Facility classification and definition into the Zoning Ordinance; the motion carried:

Aye:	Donald Gilliam Mark Jenkins Robert M. Jones Clifford Jack Leatherwood John Townsend, III	Nay:	Preston C. Hunt Chris Mason John Prengaman Cannon Watson
Absent:	John "Jack" W. Peery, Jr.		

Mr. Fowler said the issue will be before the Board of Supervisors without a recommendation for approval from the Planning Commission.

Old Business
(None)

New Business

Mr. Fowler stated a request has come to the County regarding a possible assembly use; he will forward the information to the Commission members.

Mr. Fowler then stated he and the County Administrator have discussed inviting experts to the meetings when there are no public hearings for guidance and in-house training. Mr. Fowler stated one topic to be pursued is conflict of interest.

Chairman Townsend stated that part of being a commissioner is making sure all information is received in an open forum and everyone can hear and be disputed, or reaffirmed if accurate. He stated that if someone telephones or

converses one on one, the commissioners should politely encourage the citizens to attend the meetings and public hearings so all can receive the information as a group and in a public forum. He presented a recent example, stating he had to explain to the citizen that he could not talk to them regarding the topic so as not to appear biased. Chairman Townsend stated he wants people to understand the commissioners' roles and for the commissioners to be comfortable in their positions when they encounter a citizen.

Commissioner Mason stated he would like to emphasize that the Planning Commission members are not representatives of the citizens in the districts.

Commissioner Jones asked Mr. Fowler how the churches can protect themselves when helping the people in need. Discussion followed.

Mr. Fowler queried the Commissioners about posting their emails on the County's web site. The Commissioners stated they would prefer to receive information from the staff, which would enable them to receive the information together as a group.

Commissioner Jones made a motion, seconded by Commissioner Pregelman, and adopted by the following vote:

Aye:	Donald Gilliam	Nay:	(None)
	Preston C. Hunt		
	Mark Jenkins		
	Robert M. Jones		
	Clifford Jack Leatherwood		
	Chris Mason		
	John Pregelman		
	John Townsend, III		
	Cannon Watson		

Absent: John "Jack" W. Peery, Jr.

the meeting was adjourned at 7:57 p.m.

Next Meeting: February 21, 2017