

May 8, 2007

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday the 8th day of May, 2007, at 7:00 p.m., there were present:

William G. Fore, Jr., Chairman

Howard F. Simpson, Vice-Chairman

Pattie Cooper-Jones

Sally W. Gilfillan

Robert M. Jones

Charles W. McKay

James C. Moore

Lacy B. Ward

Also Present: Sarah Puckett, Assistant County Administrator; Jonathan L. Pickett, Director of Planning and Community Development; Alecia Daves-Johnson, Planner I; James R. Ennis, County Attorney; Sharon Carney, Director of Economic Development and Tourism; and Mable Shanaberger, Treasurer.

Chairman William G. Fore, Jr., called the meeting to order. Supervisor James C. Moore offered the invocation.

Chairman Fore asked for the consent of the Board to allow adjustments to the agenda. He said the topic of the land purchase by the Piedmont Regional Jail will need some discussion, and Supervisor Gilfillan would like to have discussion on the topic of Emergency Communications following the Audit Committee topic.

In Re: Consent Agenda

Chairman Fore said the Board has discussed using a consent agenda, and he asked the Board to table this topic. He said it appears to be more involved than originally thought, and the additional time would allow for more research and a recommended bylaws revision, if approved.

On motion of Mrs. Gilfillan and carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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the Prince Edward County Board of Supervisors approved that action on the establishment of a consent agenda be tabled until the June 2007 meeting.

In Re: Public Participation

Chairman Fore said no one had signed up to speak and asked for comments from the floor; there being no one wishing to speak, Chairman Fore closed the public participation portion of the meeting.

In Re: Treasurer's Report

On motion of Mr. Jones and carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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the Board accepted the following Treasurer's Report for the month of March, 2007.

March, 2007

Fund balances were as follows:

General Fund-----	\$ 120,956.30	
General Fund Reserved for Investment-----	7,867,686.67	
		7,988,642.97*
Recreation Fund Reserved for Investments-----	25,309.53	
Forfeited Assets Fund Reserved for Investment-----	153,543.74	
School Capital Projects Fund—VPSA-----	101,418.55	
School Capital Projects Fund—QZAB01-----	53,171.75	
Underground Storage Tank		
Liability Fund Reserved for Inventory-----	20,000.00	
Board of Public Welfare Special Account-----	2,320.68	
Piedmont ASAP Fund-----	156,516.15	
School Fund-----	269,592.55	
Landfill Construction Fund-----	262,143.76	
PCS Fund-----	201,174.46	
Revenue Sharing Fund-----	73,165.86	
Retirement Benefits Fund-----	13,444.00	

School Capital Projects Fund—QZAB02-----	953,568.80
Prince Edward Community Development Fund-----	0.00
	\$10,274,012.80

Cash accounts were as follows:

Cash in Office-----	1,000.00
Cash in Banks-----	836,170.00
Warrants Payable (School Fund)-----	0.00
General Fund Investments-----	7,867,686.67
VPSA Investments-----	101,418.55
QZAB01 Investments-----	53,171.75
Underground Storage Tank Fund-----	20,000.00
Recreation Fund Investments-----	25,309.53
QZAB02 Investments-----	953,568.80
Landfill Construction Fund for Investment-----	262,143.76
Forfeited Asset Fund for Investment-----	153,543.74
	\$10,274,012.80

*Of this \$7,988,642.97 in the General Fund, \$3,615,194.44 is encumbered for:

Transfers to:	
School Fund	\$ 3,060,398.63
VPA Fund	209,068.04
Debt Obligations	345,726.77
Total	\$3,615,194.44

This leaves an unencumbered balance of \$4,373,448.53 in the General Fund.

STATEMENT OF DEPOSITORY BALANCES

Balances as of March, 2007:

<u>Checking Accounts:</u>	
Benchmark Community Bank	1,024.27
Wachovia Bank	85,510.37
BB&T	2,268,812.80
Bank of America	235,000.00
	\$2,590,347.44
<u>Investment Accounts:</u>	
Mentor Investments – Stock Account	\$0.00
Benchmark Community Bank	749,315.66
Wachovia Bank	200,000.00
Citizens Bank & Trust Company	535,000.00
BB&T	3,193,956.79
Planters Bank & Trust	700,000.00
Mentor Investments	152,865.22
SNAP (State Non-Arbitrage Plan)	116,196.66
Bank of America	2,035,331.03
	\$7,682,665.36

In Re: Approval of Minutes

Mr. Jones moved approval of the minutes of the meetings held April 10, 2007 at 4:00 p.m., April 10, 2007 at 7:00 p.m., April 12, 2007 at 5:00 p.m., April 17, 2007 at 5:00 p.m., and April 24, 2007 at 5:00 p.m. The motion carried:

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

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Robert M. Jones Sally W. Gilfillan Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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the minutes of the meetings held April 30, 2007 at 9:00 a.m. and May 3, 2007 at 12:00 noon were approved.

In Re: Approval of Accounts and Claims

The following accounts and claims were presented, and there was some discussion regarding certain line item explanations on the Cannery and the Comprehensive Service Act departments, and Mr. Moore requested an expense report from the Cannery. On motion of Mr. Moore, the following accounts and claims were approved for payment by the following vote:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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<u>BOARD OF SUPERVISORS</u>		
National Association of Counties	Advertising	400.00
Pattie Cooper-Jones	Mileage	18.69
William G. Fore, Jr.	Mileage	10.68
Robert M. Jones	Mileage	31.15
Charles W. McKay	Mileage	73.43
James C. Moore	Mileage/Tolls/Parking	408.92
Lacy B. Ward	Mileage	124.60
Business Card	Meals	204.55
Fuqua School	Meals	118.80
Walmart	Meeting refreshments	34.42

<u>COUNTY ADMINISTRATOR</u>		
Key Office Supply	Copier Maintenance Contract	756.00
AT&T	Phone	222.11
Embarq	Phone	428.49
U.S. Cellular	Phone	74.56
Virginia Local Government Management Association	Dues	165.00
Diamond Springs	Office supplies	15.45
Key Office Supply	Office supplies	1,070.70
Moonstar BBS	DSL	95.00
Walmart	Office supplies	91.33
Review Publications	Government directories	263.80

<u>COMMISSIONER OF REVENUE</u>		
AT&T	Phone	66.72
ESI of Virginia, Inc.	Installed data jack	178.33
Ntelos	Internet	19.95
Embarq	Phone	203.30

<u>INFORMATION TECHNOLOGY</u>		
Business Data of Virginia, Inc.	Travel expenses	724.24

<u>ELECTORAL BOARD AND OFFICIALS</u>		
Owen G. Dunn Co.	Lever style adapter	43.19

<u>REGISTRAR</u>		
Dale L. Bolt	Postage-78.00	
	Mileage-63.64	141.64
U. S. Postal Service	Postage	427.00
AT&T	Phone	38.00
Embarq	Phone	133.82
Farmville Herald	Subscription renewal	38.00
Key Office Supply	Office supplies	55.95
VRAV	Certification class	25.00

<u>CIRCUIT COURT</u>		
Carolyn B. Ailsworth	Juror	30.00
Edwin Wayne Alley	Juror	30.00
James E. Barton	Juror	30.00
Rachel Beiler	Juror	60.00
Virginia A. Berkley	Juror	30.00
Vincent F. Bianco	Juror	30.00
Stella E. Bishop	Juror	30.00
Judy J. Bolt	Juror	30.00
Brian C. Caldwell	Juror	60.00
Patricia Carlson	Juror	30.00

Iris S. Clark	Juror	30.00
Gregory C. Cole	Juror	60.00
Joyce W. Coles	Juror	60.00
Clinton D. Dalton	Juror	30.00
Robert M. Driskill	Juror	30.00
Harry Byrd Elam	Juror	60.00
Paige Epps	Juror	30.00
Elizabeth A. Fitts	Juror	60.00
Moses W. Foster	Juror	90.00
Fitzgerald Fowlkes	Juror	30.00
Curtis Fox	Juror	30.00
Alice H. Frank	Juror	30.00
Ray A. Gaskins	Juror	60.00
Delane J. Grissom	Juror	60.00
Carolyn F. Haskins	Juror	30.00
Ivan C. Hatcher	Juror	60.00
Mary E. Hix-Baldwin	Juror	210.00
Cristy Johnson	Juror	90.00
Nancy J. King	Juror	90.00
Rachel R. Lanham	Juror	90.00
Millard Ostrander	Juror	30.00
Helen M. Phillips	Juror	180.00
Charles D. Puckett	Juror	30.00
Claren T. Purser	Juror	180.00
John F. Reynolds	Juror	180.00
Harold W. Rumfelt	Juror	90.00
Monica N. Simons	Juror	180.00
Samuel Sims, Jr.	Juror	30.00
Peter J. Smith	Juror	30.00
Ralph J. Smith	Juror	30.00
Karen Kaz Snead	Juror	150.00
Elijah Edmund Sutton	Juror	30.00
Debra Tharp	Juror	30.00
Frances O. Todt	Juror	30.00
James B. Towler	Juror	30.00
George Tran	Juror	30.00
Patricia G. Vaughan	Juror	60.00
Rosa Vaughan	Juror	210.00
Elsie R. Walker	Juror	150.00
Samuel B. Watson	Juror	30.00
AT&T	Phone	43.52
Embarq	Phone	179.15
Key Office Supply	Office supplies	281.55

GENERAL DISTRICT COURT

AT&T	Phone-Juv. Prob.-222.83	
	Phone-J&D-66.89	
	Phone-Gen. Dist. Court-115.52	405.24
Embarq	Phone-J&D-91.85	
	Phone-Juv. Prob.-106.03	
	Phone-Gen. Dist. Court-298.87	496.75
U.S. Cellular	Phone	37.28
Key Office Supply	Office supplies	7.99

SPECIAL MAGISTRATES

Key Office Supply	Serviced copier	85.00
AT&T	Phone	43.03
Embarq	Phone	80.89

McMillian Pager Service	Pager rental	15.90
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CLERK OF THE CIRCUIT COURT

Treasurer of Virginia	Jury questionnaires	1,509.75
AT&T	Phone	89.74
Embarq	Phone	277.49

LAW LIBRARY

AT&T	Phone	23.76
Matthew Bender & Co., Inc.	Jury instruction books	169.50
Embarq	Phone	32.61

COMMONWEALTH'S ATTORNEY

AT&T	Phone	196.88
Kinex Networking Solution	Internet	49.95
Embarq	Phone	281.47

VICTIM WITNESS ASSISTANCE PROGRAM

AT&T	Phone	87.92
Key Office Supply	Office supplies	50.75
Embarq	Phone	43.55

SHERIFF

Commtronics of Virginia	Radio repair-403.00	
	Antenna-1,269.00	1,672.00
Haley of Farmville, Inc.	Plugs and battery	369.39
ID Networks	IDS Software maintenance	775.00
AT&T	Phone	469.74
Embarq Communications, Inc.	Radio	22.64
Embarq	Phone	542.72
U.S. Cellular	Phone	611.37
CVCJA	Graduation dinners	33.00
Robby Franklin	Meals	9.45
Key Office Supply	Office supplies	251.75
Kinex Networking Solution	Power supply-47.95	
	DSL-99.95	147.90
Staples Business Advantage	Office supplies	395.13
James K. Thorpe	Professional service	250.00
Kustom Signals, Inc.	DVD Rams-Car cameras	138.42
Public Safety Center, Inc.	Safety vests/hand cleaner	215.23
RDJ Specialties, Inc.	Imprinted pencils	425.18
Signature Sports	2007 Sports poster ad	129.00
Southern Police Equipment Co.	Vehicle decals-86.89	
	Shoes-175.62	262.51
Virginia Communications	Certify tuning fork	303.50
David Wilmoth	Range supplies	11.15
Century Uniform-Raleigh	Uniforms	434.88

RICE VOLUNTEER FIRE DEPARTMENT

Elecom, Inc.	Remote	71.85
Goodman Truck & Tractor	Truck maintenance	1,913.49
M&W Fire Apparatus, Inc.	Boots	113.86
Prince Edward Overhead Doors	Repair/upgrade doors	1,860.00
Roy C. Jenkins, Inc.	LP gas	1,080.43
Embarq	Phone	94.63
Dominion Virginia Power	Electric service	164.07

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

Darlington Heights Vol Fire Dept	Building loan payment	501.50
East End Motor Company, Inc.	Inspection	56.12
Pamplin Exxon	Fuel	161.72
Southside Electric Cooperative	Electric service	137.85

PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone	52.46
Pamplin Vol. Fire Dept.	Fuel	463.14
Verizon	Phone	100.57
Dominion Virginia Power	Electric service	143.40

EMERGENCY SERVICES

Timmons Group	System maintenance	770.00
Korman Signs	Signs	549.81
Extreme Surveillance	Cameras	3,019.00
Fisher Scientific	Weather station	9,100.00
Wasp Barcode Technologies	Inventory system	6,780.50

REGIONAL JAIL

Piedmont Regional Jail	Inmate per diem	3,752.10
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BUILDING OFFICAL

Coy Leatherwood	Meals/meeting registrations	44.90
Treasurer of Virginia	Building permit levy	392.96
Key Office Supply	Office supplies	21.87
U.S. Cellular	Phone	37.28

ANIMAL CONTROL

David Cooke	Coyote bounty	50.00
Embarq	Phone	32.02
U.S. Cellular	Phone	74.56
Walmart	Dog food	104.42

MEDICAL EXAMINER

Treasurer of Virginia	Coroner	60.00
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BIOSOLIDS MONITORING

U.S. Cellular	Phone	37.28
Tri-County Ford-Mercury	Auto repairs	1,807.57

REFUSE DISPOSAL

Resource International	Storm water permit compliance-575.00	
	Miscellaneous work tasks-1,955.60	
	Solid Waste Management Plan-453.76	2,984.36
Ayers Building & Supply Co.	Wasp spray	7.66
Arcet Equipment Company	Wire brushes	17.08
Farmville Wholesale Electric	Tools for scalehouse-25.80	
	Compactor electric part-25.66	51.46
Piedmont Regional Jail	Inmate trash pickup	405.00
Sherwin Williams Company	Paint-recycle boxes	135.98
Dave M. Walker	Cleaning box site	250.00
Southern States	Strap/ratchet/gloves	45.50
Arena Trucking Company	Trash pickups	184.00
Resource International	Groundwater monitoring	3,412.92
Wright's Excavating	Landfill operation	31,250.00
Emanuel Tire of Virginia	Tire recycling	2,869.50
AT&T	Phone	237.71

Embarq	Phone	343.76
U.S. Cellular	Phone	37.28
Verizon	Phone	66.09

GENERAL PROPERTIES

Servicemaster	Janitorial services	4,875.83
Farmville Wholesale Electric	Electrical supplies-6.92	
	Electrical parts-88.08	
	Electrical wiring-2.87	97.87
Southside Electric Cooperative	DH site-electric service-76.99	
	SRR electric service-30.93	107.92
Dominion Virginia Power	Animal shelter-150.27	
	Roy Clark monument-6.83	
	Courthouse-7,057.25	
	Leachate pump-241.40	
	Scalehouse-39.80	
	Shop-37.40	
	Cell C pump station-8.84	
	Moore building-146.66	
	Green Bay site-53.14	
	Sheriff's Office Shed-5.50	
	Worsham Clerk's office-106.14	
	Worsham shelter-59.98	
	Prospect site-36.39	
	Landfill site-24.79	7,974.39
Roy C. Jenkins, Inc.	Fuel oil	3,970.59
Town of Farmville	Water and Sewer	164.30
AT&T	Phone	24.96
Embarq	Phone	118.78
U.S. Cellular	Phone	223.72
Aramark Uniform Services	Janitorial Supplies	275.98
Wilco, Inc.	Paper products	877.60
East End Chevron	Ice	8.75
Farmville Wholesale Electric	Bulbs-383.28	
	Flood lamp-5.22	
	Maintenance supplies-34.14	422.64
OK Termite & Pest Control	Exterminating service	150.00
Taylor-Forbes Equipment Company	Oil & lock pin-8.88	
	Mower parts-99.48	108.36
ESI of Virginia, Inc.	Voice mail battery	367.75

CANNERY

Dixie Cannery Equipment Company	Sealer repairs	1,145.69
Southside Electric Cooperative	Electric service	39.78
Roy C. Jenkins, Inc.	Fuel oil	380.53
AT&T	Phone	29.90
Embarq	Phone	31.47
Lena Rose Huddleson	Shipping charges	56.60

COMPREHENSIVE SERVICE ACT

Latrind Abdus Sabur	Foster care-345.00	
	Professional service-270.00	615.00
Rickey Brown	Foster care	483.00
Centra Health	Professional services	40,115.25
Crossroads Services Board	Professional services	6,845.00
Dominion Youth Services	Professional services	5,188.11
Family Preservation Services	Professional services	6,903.00
Violet Fane	Foster care	1,180.00

Juanita Fisher	Foster care	230.00
Grafton School, Inc.	Professional services	8,048.00
Hallmark Youthcare-Richmond	Professional services	11,386.20
Heartland Family Counseling	Professional services	1,100.00
Shirley Hicks	Foster care	292.10
Jody Holyst Fariss	Foster care	5,652.50
Helton House, Inc.	Professional services	2,312.97
Christy Johnson	Foster care	427.60
Lakeisha Lawson	Foster care	762.00
Ernestine Lee	Foster care	762.00
New Dominion School	Professional service	8,370.00
St. John's Church After School	Foster care	134.00
Angela Uhrich	Foster care	1,795.00
Walmart	Foster care	457.95
Carrie Ziegfeld	Foster care	217.00

MUSEUMS

B & M Greenhouse	Plants	259.73
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PLANNING

U.S. Cellular	Phone	37.28
Jonathan Pickett	Mileage	289.43
Key Office Supply	Office supplies	185.39
Business Data of Virginia, Inc.	Printer duplexer	149.99

ECONOMIC DEVELOPMENT

Business Card	Postage-11.19	
	Stationery-34.59	
	Office supplies-202.52	
	Fed-Ex-20.40	268.70
SEEN	Advertising	695.00
Southside Messenger	Advertising	440.00
VEDA	Dues	150.00
AT&T	Phone	75.96
Moonstar BBS	Web hosting & DSL	60.00
Embarq	Phone	185.92
Sharon Carney	Reimbursement, Jamestown site work-2,000.00	
	Mileage & Tolls-73.70	2,073.70
JJ's Best Buy	Cups/Napkins/Tablecloths	31.12
Luck Stone Corporation	Stone-Jamestown Project	1,196.87
Key Office Supply	Office supplies	10.49
U.S. Postal Service	Box rent	132.00
Walmart	Tapes	41.82

COOPERATIVE EXTENSION OFFICE

Embarq	Phone	94.19
Treasurer, Virginia Tech	Local support	15,658.18

CAPITAL PROJECTS

J. L. Bishop, Contractor, Inc.	Trash containers	52,779.00
Draper Aden Associates	Sandy River Reservoir financial analysis-1,652.07	
	Sandy River Reservoir Protection plan-5,109.00	6,761.07

DEBT SERVICE

Rural Development	Courthouse loan	16,626.00
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	<u>FORFEITED DRUG ASSETS</u>	
Key Office Supply	Copier-6,999.00	
	Fax-1,695.00	8,694.00
	<u>RETIREE BENEFITS FUND</u>	
Vicki K. Johns	Retiree benefit	892.00
Anthem BCBS	Retiree health insurance-June 07	882.00
	<u>REVENUE SHARING FUND – VDOT</u>	
Draper Aden Associates	Via Sacra design	6,050.00
	<u>PIEDMONT COURT SERVICES</u>	
Kroll Laboratory	Drug testing	62.28
Virginia Correctional Enterprise	Printing	16.02
Dominion Virginia Power	Electric service	106.98
AT&T	Phone	279.09
Moonstar BBS	DSL & web hosting	474.00
Embarq	Phone	232.95
SRP Corporation, LLC	Rent	1,550.00
Farmville Area Bus	Bus service	150.59
Sheena Franklin	Mileage	82.77
Sharon Gray	Mileage	112.58
Connie Stimpson	Mileage	36.93
Ashley Hricko	Mileage	317.24
Renee T. Maxey	Mileage	32.04
Rebecca Moss	Mileage	22.25
Career Track	Training	30.00
College of William & Mary	Meeting registration	250.00
Farmville Herald	Subscription	34.00
Key Office Supply	Office supplies	521.34
Quill Corporation	Office supplies	546.29
Virginia Correctional Enterprise	Nameplate-11.10	
	Office supplies-164.70	175.80
Sam Spady Foundation	DVD & Wallet cards	39.95
NCADI	DVD	12.50
National Seminars Group	Office supplies	17.95
National Association for Shoplifting Prevention	Training	65.00
DFS Acceptance	Tower & projector	1,326.00
Key Office Supply	Laptop	1,439.00
	<u>PCS SUPERVISION FEES EXPENDITURES</u>	
Page Harding	Cleaning service	180.00
	ADDENDUM BILL LIST	
	<u>BOARD OF SUPERVISORS</u>	
Howard F. Simpson	Mileage-96.57	
	Meal-9.29	105.86
Farmville Herald	Advertising	643.63
	<u>COUNTY ADMINISTRATOR</u>	
VITA	Pager rental	16.36
VGFOA	Conference registration	200.00
Town of Farmville	Fuel	97.36

Matthew Bender & Company, Inc.	2007 Session summary	54.40
Business Data of Virginia, Inc.	USB cable	14.95
Farmville Printing	Business cards	70.00

COMMISSIONER OF REVENUE

VITA	Online service	125.38
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TREASURER

James W. Elliott, Attorney	Advertising	255.00
Farmville Herald	Advertising	80.75
AT&T	Phone	87.93
VITA	Online service	125.38
Embarq	Phone	193.25
Virginia Employment Commission	Online service	200.00
Key Office Supply	Office supplies-403.30	
	Printer-425.00	828.30

INFORMATION TECHNOLOGY

ComputerPlus Sales & Service	Maintenance contract	270.00
Business Data of Virginia, Inc.	Travel expense-125.00	
	Monthly contract-2,800.00	2,925.00

CIRCUIT COURT

Devin Moore	Mileage	20.03
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LAW LIBRARY

Matthew Bender & Company, Inc.	2007 Session summary	54.40
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REGISTRAR

VITA	Online service	3.25
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SPECIAL MAGISTRATES

VITA	Pager rental	16.36
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SHERIFF

East End Motor Company, Inc.	Moved boat & trailer-45.00	
	Auto maintenance-350.86	
	Repair light-15.12	
	Wrecker service-80.00	
	Oil & filter change-44.38	
	Inspection-16.00	551.36
Business Card	Meals-176.85	
	Lodging-1,339.34	
	Gas-101.11	
	Police supplies-70.00	
	Uniforms-204.68	1,891.98
Diamond Springs	Office supplies	88.40
Walmart	Office supplies-52.98	
	Dog food-50.54	
	Uniforms-136.12	239.64
Town of Farmville	Fuel	7,556.62
DMV	ID card	10.00
Matthew Bender and Company, Inc.	2007 Session summary	54.40
McMillian Pager Service	Pager rental	230.00

JUVENILE DETENTION

Piedmont Regional Juvenile Detention Center	Juvenile Detention	12,600.00
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Piedmont Regional Jail	Inmate per diem	3,802.70
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BUILDING OFFICIAL

Town of Farmville	Fuel	313.89
Farmville Printing	Business cards	35.00

ANIMAL CONTROL

Town of Farmville	Fuel	757.39
VITA	Pager rental	16.36
Blue Tarp Financial, Inc.	Hose & nozzle	28.28

BIOSOLIDS MONITORING

Town of Farmville	Fuel	53.02
Newman Tire Company, Inc.	Tires	202.00

REFUSE DISPOSAL

AT&T	Phone	121.76
Town of Farmville	Fuel	1,776.91
O. O. Stiff, Inc.	Monthly service	577.50

GENERAL PROPERTIES

Aramark Uniform Services	Janitorial supplies	178.52
VITA	Pager rental	33.62
Cintas Corporation #524	Uniform rental	398.28
Fisher Auto Parts, Inc.	Brake fluid	4.59
Town of Farmville	Fuel	751.17
O. O. Stiff, Inc.	Monthly service	100.00
Blue Tarp Financial, Inc.	Nozzle-10.59	
	Keys-2.00	
	Hose-37.59	
	Shelf-19.53	
	Roundup-60.31	
	Light bulbs-5.58	
	Cleaner-16.23	151.83
J. E. Jamerson Building Supply	Hand railing	4.34
Farmville Auto Parts	Filter-6.50	
	Bulbs & adapter-14.64	
	Power steering fluid-2.12	23.26
Newman Tire Company	Inspection/maintenance	82.82

CANNERY

Valley Boiler, Inc.	Boiler service call-1,764.25	
	Tank replacement-3,950.00	5,714.25

COMPREHENSIVE SERVICES ACT

Dominion Youth Services	Professional services	6,452.10
Hallmark Youthcare-Richmond	Professional services	19,185.16
New Dominion School	Professional services	8,100.00
Elk Hill	Professional services	700.00

PIEDMONT COURT SERVICES

Telimagine	Digital station PPT	360.55
Dell Financial Services	Modules	779.90
Key Office Supply	Anti-virus	105.00
Dell	Software	385.00

<u>PLANNING</u>		
Farmville Herald	Advertising	123.50
Farmville Printing	Business cards	35.00
<u>ECONOMIC DEVELOPMENT</u>		
Blue Tarp Financial, Inc.	Chain-47.00	
	Bolt cutter-18.53	
	Tape rule & pliers-19.48	
	Ladder-199.99	285.00

In Re: School Cafeteria Fund Appropriation

Mrs. Sarah E. Puckett, Acting County Administrator, requested an appropriation of \$265,000 to the School Cafeteria Fund to enable the School Board to properly manage the finances of the school cafeteria program. This amount is the anticipated cash revenue generated through the sale of meals for Fiscal Year 2006-2007. She added this is not additional local money; it is a correction to the appropriation for the school cafeteria program. Mrs. Puckett requests the funds be appropriated as follows:

School Cafeteria Fund

Revenue Line Item #3-270-16120-0004	\$265,000
Expenditure Line Item #4-270-65100-0001	\$265,000

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

Aye: Pattie Cooper-Jones
 William G. Fore, Jr.
 Sally W. Gilfillan
 Robert M. Jones
 Charles W. McKay
 James C. Moore
 Howard F. Simpson
 Lacy B. Ward

the Prince Edward County Board of Supervisors approved the appropriation.

In Re: Fireworks Permit

Chairman Fore said the Chemistry Department of Hampden-Sydney College sent a request for permission for a neighborhood fireworks display to be held on July 4, 2007, in the side yard of the W. W. Porterfield residence on Venable Lane on the college campus.

A motion to permit the Chemistry Department of Hampden-Sydney College to hold the fireworks display was made by Mr. McKay and carried:

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

Chairman Fore said neither of the VDOT representatives could attend the meeting, and asked for any concerns to forward to them.

Supervisor Ward inquired about “no trash” and “no littering” signs to be placed on the road to the landfill in Prospect. Mrs. Puckett said she would contact Alan Leatherwood regarding the procedure for getting the signs posted. Mr. Ward also asked for a progress report on the Route 626 elevated railroad crossings.

Supervisor McKay asked for a progress report on the flashing stop sign at Worsham and when construction was to begin on Slaydon Forest Road.

Supervisor Moore asked for a progress report on the Route 634 bridge replacement project. Mrs. Puckett stated notices had just gone out, and the work is expected to be completed on or around July 27, 2007.

In Re: Watch For Children Signs

A motion was made by Mr. Jones to adopt the following resolution requesting two “Watch for Children” signs be installed on a section of Route 617 (Saylor’s Creek Road). The motion carried:

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

WATCH FOR CHILDREN SIGNS – ROUTE 617

WHEREAS, there is a need for two (2) “WATCH FOR CHILDREN” signs to be placed by the Virginia Department of Transportation on Route 617 (Saylor’s Creek Road) in the County of Prince Edward, Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, does hereby request that the Resident Engineer of the Virginia Department of Transportation to have placed the aforementioned signs in the following recreational areas of the County of Prince Edward: On Route 617, 1.0 miles south of the intersection of Route 617 and Route 307, and 0.2 miles north of the intersection of Route 617 and 602; and

BE IT FURTHER RESOLVED, that the installation of the aforementioned signs, as well as any future maintenance of the signs, shall be from the secondary system construction allocation of the County of Prince Edward, Virginia.

In Re: Voter Registrar Request

Mr. Dale Bolt, Registrar, requested the purchase of additional voting machine equipment. The County presently uses direct recording electronic devices (DREs). Mr. Bolt stated that during the past General Assembly session, legislation was passed calling for the phase-out of these machines, and prohibits the purchase of these type machines after July 1, 2007. Mr. Bolt said these machines have few reports of mechanical problems, and the purchase of additional machines will permit the County to continue using the current system long into the future. Mr. Bolt explained the voting equipment and offered four purchase options for the Board’s consideration ranging in price from \$18,828 to \$30,528. He added it could be done from the current budget or the next fiscal budget.

Mr. Ward asked for clarification of the urgency, and said if the Federal government requires the change, it should fund the machines. Mr. Bolt said that was the reason the Federal government chose to phase out the machines.

A motion was made by Mr. Jones to add \$24,428 to the upcoming FY 2007 – 2008 budget for the purchase of additional voting equipment. The motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward

Nay: None

In Re: Public Hearing – School Board Nominees

Chairman Fore announced this was the date and time scheduled for a public hearing on the School Board Nominees. Notice of this hearing was advertised according to law in the April 18, 2007 and April 25, 2007 issues of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward. The floor was opened for public input.

Chairman Fore said the nominees are as follows:

District 201 – Susan S. Lawman

District 601 – Thomas M. Tillerson

Mr. Jones said Ms. Lawman sends her regrets as she was unable to attend due to a work conflict.

Mr. Ward said Mr. Tillerson expressed his interest in continuing on the School Board.

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

Chairman Fore stated the School Board appointments will be made at the June 13, 2007 meeting.

In Re: Biosolids Report

Mr. Manuel Toombs, Regional Biosolids Coordinator, gave a report of the biosolids activity from August 2005 through March 2007. He said that \$70,510 has been reimbursed, and 52,043 acres have been spread during that time period. He added that 27,228 acres were permitted. He said spreading is being done close to Pamplin, and the 15-day notification has gone out. In Prince Edward County, 13 farms are scheduled to be spread over the next 15 weeks, and in Buckingham, 21 farms will be spread.

Mr. Toombs said he has been contacted by Campbell County officials to let them know the requirements. He added VDH will start phasing out the biosolids program in July, and DEQ will take over by January 2008. He said a director has not yet been appointed for the position with DEQ, and the program is “up in the air” until that position is filled. He said counties may still have some input, and it is his understanding that DEQ will hire 12 people to cover the State of Virginia.

Supervisor Jones asked about the reimbursement rate that the applicators pay to the counties per ton. Mr. Toombs said that once DEQ takes over, it would change from \$250 per ton to \$750 per ton, which will put a lot more money into the reimbursement fund, and it will be funded by the companies that are applying the biosolids.

Mr. Jones asked for more specifics on the application done in Prince Edward County. Mr. Toombs said that the acreage was low because some of the farmers didn't want to cooperate, so the applicators became frustrated and moved on. Mr. Toombs said he estimates the number of farms in Prince Edward County spread this year will probably double.

Discussion followed on acreage being spread with biosolids regarding the percentages applied and frequency of application.

In Re: Centra Health Ambulance

Dr. Gwen Eddleman, CEO, Southside Community Hospital, stated Southside Community Hospital (SCH) and Centra Health have announced the placement of a Centra Ambulance at Southside Community Hospital, to enhance the quality of transportation services for patients of SCH that need to be transferred to other patient care facilities. She said this service will include the provision of mutual aid 911 at the request of local rescue squads and transportation of patients to and from local facilities. Dr. Eddleman said there will be at least one advanced life support provider and one basic life support provider on staff to work collaboratively with the SCH emergency department and assist with on-call transport situations, 12 hours per day, seven days per week.

A motion to adopt the resolution in recognition of Centra Health operating an EMS Agency was made by Mr. Simpson. The motion carried:

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

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

**IN RECOGNITION OF CENTRA HEALTH
OPERATING AN EMS AGENCY WITHIN THE BOUNDARIES OF
THE COUNTY OF PRINCE EDWARD, VIRGINIA**

WHEREAS, the Board of Supervisors of the County of Prince Edward, Virginia, acknowledges the need for Emergency Medical Services (EMS) in Prince Edward County; and

WHEREAS, the Board of Supervisors of the County of Prince Edward, Virginia, wishes to encourage the operation of EMS agencies in the County of Prince Edward;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, through the adoption of this resolution recognizes the operation of Centra Health as an EMS agency to be operated within the County of Prince Edward.

In Re: GASB 45

Acting County Administrator Sarah Puckett advised the Board that the General Accounting Standards Board (GASB) has issued Statement #45 which deals with the accounting and financial reporting by employers for post-employment benefits other than pension (e.g., insurance, life insurance). She said an actuarial study will need to be completed on both the County and the Schools to measure the future liability of the post-employment benefits approved by the Board of Supervisors and the School Board. She added she will contact the school superintendent so the Schools and the County can work together. Mrs. Puckett said she anticipates the cost of the study to be not more than \$20,000, and this will be a recurring cost, every other year. She said there are funds in the current year's budget and it will not require an appropriation.

A motion was made by Mrs. Cooper-Jones to authorize procurement of professional services for the actuarial study. The motion carried:

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

In Re: 2009 General Reassessment Contract

At the April Board meeting, the Board approved entering into a contract with Wampler-Eanes Appraisal Group for the 2009 General Reassessment in the amount of \$201,500.

Mrs. Puckett, Acting County Administrator, said for an additional \$10,000, the contract can be amended to add digital photographs of the main residential dwellings on each parcel to its new electronic database. She added this information could be made available on the County web site in the future.

Mr. McKay asked if this would need to be included next reassessment. Mrs. Puckett said the cost is per photo, and it should not require as many photographs in the future. She added the cost would be spread over one and a half fiscal years.

On motion by Mrs. Gilfillan and carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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the Prince Edward County Board of Supervisors authorized an amendment to the contract with Wampler-Eanes to provide for an additional \$10,000 for digital photographs of the main residential dwelling on each parcel.

In Re: Renewal of Contract for Audit Services

Mrs. Puckett advised the Board that Robinson, Farmer, Cox Associates was awarded a contract for audit services for FY 2005-2006, which can be renewed for two additional one-year terms. She said the cost of the annual audit is \$27,000, and asked the Board to consider renewing the contract for audit services for FY 2006-2007.

After some discussion, Supervisor Gilfillan said that with the significant accounting changes made during the last year, it was prudent to remain with the same company. She said it would be wise to consider “new eyes” to perform the audit, and a different auditor should be hired when a constitutional officer retires. Supervisor Ward said he had some concern about the same firm providing the audit year after year. Mrs. Puckett said if the Board wishes to consider hiring a different firm for Fiscal Year 07-08, the procurement would have to begin in November of this year.

A motion was made by Mr. Simpson to renew the audit contract with Robinson, Farmer, Cox Associates and authorizing the Acting County Administrator to sign the contract for FY 2006-2007. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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In Re: Approval of Grant Application – Virginia Tourism Corporation

Ms. Sharon Carney, Director of Economic Development & Tourism, told the Board the Virginia Tourism Corporation offers a Tier One Marketing Grant to assist with costs for graphic design and printing of marketing materials, which corresponds to one of the primary goals of the original tourism marketing plan to publish a tourism brochure.

Supervisor Ward left the meeting at this time.

Ms. Carney said the Tier One program grant is a maximum of \$5,000 with a dollar per dollar match, and the funds for brochure development were included in the 2007-2008 budget for the Economic Development and Tourism division. She added this request is being presented to the Town of Farmville as well, as it is being proposed that the required \$5,000 in matching funds be equally split between the Town of Farmville and Prince Edward County, \$2,500 each.

On motion of Mr. Moore and carried:

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

the Board of Supervisors approved the following resolution to the Virginia Tourism Corporation to approve the joint Virginia Tourism Tier One Grant Application, and authorized submittal of the grant application signed by the Board Chairman or Acting County Administrator.

**A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA
VIRGINIA TOURISM CORPORATION MARKETING LEVERAGE PROGRAM**

WHEREAS, the County of Prince Edward, Virginia is eligible, through the Virginia Tourism Corporation, to apply for Tourism Marketing Funds for the Spring of 2007, and

WHEREAS, the County of Prince Edward is jointly applying with the Town of Farmville and the Farmville Area Chamber of Commerce for Virginia Tourism Corporation Marketing Funds due by the May 21, 2007 deadline, and

WHEREAS, the Heart of Virginia Region is requesting funds through the Tourism Tier One Leverage Program in the amount of \$5,000 to provide brochure design and printing, and

WHEREAS, the \$5,000 cash match requirement under the Tier One Program will be met equally through the Town of Farmville and Prince Edward County in the amount of \$2,500 each,

NOW THEREFORE BE IT RESOLVED, that the funding request to complete the scope of work identified in the application to the Virginia Tourism Corporation is a very important component to the successful marketing of the Heartland Region to tourists, and

BE IT FURTHER RESOLVED, the County of Prince Edward urges the Virginia Tourism Corporation to approve this joint application and provide the necessary funding for this marketing project, which will enhance the ability of this region and the Commonwealth to successfully attract tourists.

In Re: Approval of Grant Application – Dept. of Environmental Quality Regional Water Supply Plan

Alecia Daves-Johnson, Planner II, said Prince Edward County and the Town of Farmville have agreed to work together in the development and submittal of a regional water supply plan to the State Water Control Board, as required in 2005. The Virginia Department of Environmental Quality (DEQ) is administering the “Regional Water Supply Planning Competitive Grants Program,” and regional partnerships are eligible to apply to secure funding for the costs of developing a local program. She added \$50,000 is available through DEQ grant funds, and the cost estimate for the water supply plan is \$67,500. She said the application deadline is May 18, 2007, and requires signed resolutions by both the County and Town of Farmville.

Supervisor Ward returned to the meeting at this time.

Mrs. Daves-Johnson asked the Board to approve the necessary grant application and matching funds included in the FY 07-08 budget, and to adopt a Resolution to participate in a regional water supply plan with a completion due date of November 2, 2011.

Supervisor McKay asked for clarification on the \$17,500 difference in cost and grant funding. Mrs. Puckett said the County and the Town of Farmville worked together over the past few years, and as the water supply is primarily rural water and aquifers, the expectation is, based on the information that will be required by the DEQ, the burden of the information remaining is primarily the County's responsibility, and therefore the County must pay. She added the cost is included in the FY 07-08 budget and no additional appropriation will be required at the time of the award of the grant.

On motion of Mr. Moore and carried:

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

the Board approved the necessary grant application and matching funds included in the FY 07-08 budget, and adopted the following Resolution to participate in a regional water supply plan with a completion due date of November 2, 2011.

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

**Regional Water Supply Planning and Application
For a FY08 Water Supply Planning Grant**

WHEREAS, the Virginia General Assembly has mandated the development of local and regional water supply plans throughout the Commonwealth, and the State Water Control Board has developed regulations to implement this planning process; and

WHEREAS, based upon these regulations, Prince Edward County and the Town of Farmville are required to complete a water supply plan that fulfills the regulations; and

WHEREAS, local governments may elect to join one or more other local governments to develop a regional water supply plan for which a submittal deadline of November 2, 2011 has been established; and

WHEREAS, it is reasonable and prudent for the Town of Farmville and Prince Edward County to coordinate and collaborate in the development of a regional water supply plan; and

WHEREAS, the Virginia Department of Environmental Quality has announced the availability of grant funds to help localities offset some of the costs related to the

development of these plans and are encouraging localities to submit applications for grant funds using regional water supply plans; and

WHEREAS, for purposes of this DEQ water supply grant fund program, the Town of Farmville and Prince Edward County will participate within a water supply region consisting of said localities; and

WHEREAS, Prince Edward County desires to manage and develop a regional water supply plan for the region, and the Town of Farmville agrees with this approach; and

WHEREAS, the region, through Prince Edward County wishes to apply for and secure DEQ grant funds to help offset the cost of the plan development;

NOW, THEREFORE BE IT RESOLVED, that the Prince Edward County Board of Supervisors agrees to participate with the Town of Farmville in the development of a regional water supply plan and authorizes Prince Edward County to manage and develop said regional water supply plan that will comply with mandated regulations; and

BE IT FURTHER RESOLVED, that Prince Edward County is authorized to develop an application for water supply planning grant funds to offset to the extent feasible the cost of developing said regional water supply plan; and

BE IT FURTHER RESOLVED, that the County Administrator or Assistant Administrator of Prince Edward County is authorized to sign the DEQ grant contract and other appropriate documents related to the source water planning grant and the regional source water supply plan; and

BE IT FURTHER RESOLVED, that Prince Edward County intends to provide matching funds for the project for work performed to meet the requirements of the regional water supply planning effort; and

BE IT FURTHER RESOLVED, that Prince Edward County anticipates entering into a Scope of Work with Draper Aden Associates to prepare the Water Supply Plan, Prince Edward County anticipates requesting \$50,000 from the DEQ grant program; Prince Edward County will be responsible for any portion of the contractual costs of the regional water supply plan that is not covered by the DEQ grant.

BE IT FINALLY RESOLVED, that the State Water Control Board and the Department of Environmental Quality should consider this resolution from each of the participating localities their Letters of Intent to participate in a regional water supply plan with a completion due date of November 2, 2011, in accordance with 9 VAC 25-780-50.B.4.

In Re: Support of YMCA Grant Application – Water Quality Improvement Fund

Alecia Daves-Johnson, Planner I, advised the Board that in reviewing site plans and erosion sediment control plans for the new Southside Virginia Family YMCA Facility, an opportunity to apply for grant funding was found to assist with additional costs and to include Better Site Design principles as part of the construction of the facility. She said these principles would provide a valuable water quality benefit

while also serving as a community demonstration project. She asked the Board to provide a letter of partnership support to the project to include with the grant application, which is due May 15, 2007.

Supervisor Ward asked how many other jurisdictions have been asked for their support. Jonathan Pickett, Director of Planning and Community Development, said this grant would beautify land that Prince Edward County owns. Mrs. Daves-Johnson said the land that the County donated and the appropriation for construction cost that the County has already made to the YMCA will be counted as the matching funds. Mrs. Puckett stated that no additional local funds would be required, and it can be stipulated in the letter of support that the County's support is through the letter and the funds already provided can be used as the match funds.

A motion was made by Mr. Moore to approve support of a grant application for the YMCA project plans to include Better Site Design principles as part of the construction of the new Southside Virginia Family YMCA Facility. The motion included a stipulation that no other County funds be involved.

The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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In Re: Leigh Mountain Emergency Communications Tower

Mr. Jonathan Pickett, Director of Planning and Community Development, advised the Board the Old Dominion Emergency Medical Services Alliance (ODEMSA) has owned an emergency communications tower on Leigh Mountain on property leased from Mary Jenkins, at a rate of \$75 per month. The lease expired March 31, 2007 and Mrs. Jenkins is requesting \$500 per month. Mr. Pickett stated he has been contacted by Jon Donnelly, Executive Director of ODEMSA, who said his organization cannot afford this much of an increase and is looking to give the tower to the County. Mr. Pickett said Mrs. Jenkins will not negotiate a price, and if an agreement cannot be reached, the tower will be taken down. Mr. Pickett said the goal is to keep communications available, and has since learned of another higher tower owned by a country radio station near the landfill. He asked the Board for more time to find out if

costs to switch to the other tower would benefit, and also if the station would permit the emergency communications hardware on their tower. Mr. Pickett stated other localities would be asked to contribute to the costs of moving the equipment to the new tower if that option is available, and said Homeland Security funds may help pay for the transfer of the equipment. Discussion followed.

On motion of Mr. McKay and carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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the Prince Edward County Board of Supervisors tabled action on the Leigh Mountain Emergency Communications Tower to allow Mr. Pickett an opportunity to find alternatives for placement of the emergency equipment.

In Re: Animal Control Ordinance

Mr. James Ennis, County Attorney, said the Animal Control Ordinance had been reviewed and definitions had been reconciled but the proposed ordinance is subordinate to the regulations of the Game and Inland Fisheries or the *Code of Virginia*. This proposed ordinance provides exemption to certain animals not considered “exotic” and some may still require permits and must be permitted by the Game and Inland Fisheries. The definition of “Livestock” was expanded and clarified to include llamas, alpacas and ostrich.

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

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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the Prince Edward County Board of Supervisors adopted the amended Animal Control Ordinance as presented.

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; capradae 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 crocodilian, 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.

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 sanitarly 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 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.

ARTICLE II. ANIMAL CONTROL OFFICERS

Sec. 10-30. Position created.

The animal control officer shall discharge the duties provided for in Code of Virginia § 3.1-796.66, et seq., and such other duties as are provided in this chapter. 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.

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 a guide dog for a blind person, service dog or dogs under four months of age.

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 dog pound.

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 or injuring 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, including multiple bites, serious disfigurement, serious impairment of health, or serious impairment of a bodily function; 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.

(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 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. All certificates obtained pursuant to this subsection shall be renewed annually for the same fee 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.

(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.

(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

Sec. 10-110. Display or exhibition.

No person shall keep or permit to be kept on his premises any wild or exotic animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions, circuses or veterinary clinics which are properly licensed by the federal government or Commonwealth of Virginia. In no case, however, shall such wild or exotic animals be exhibited or displayed in such a manner that persons other than their handlers can pet, fondle or otherwise come in direct physical contact with such animals.

Sec. 10-111. Keeping as a pet.

No person shall keep or permit to be kept any wild or exotic animal as a pet.

Sec. 10-112. Notice required at place of sale.

Any person who offers for sale a wild or exotic animal, as defined by section 4-1 of this chapter, shall post conspicuously at the place of sale or display the following notice:

"No person may lawfully keep or permit to be kept in Prince Edward County any live monkey (nonhuman primate), raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx or any other warm-blooded animal, poisonous snake or tarantula, crocodile or alligator,

which can normally be found in the wild state or any other member of the crocodylian, including but not limited to alligators, crocodiles, caimans and gavials."

Sec. 10-113. Penalty.

Any person violating any of the provisions of this article shall be deemed guilty of a Class 3 misdemeanor. Each day a violation of this article shall continue constitutes a separate offense.

Sec. 10-114. Enforcement.

The provisions of this article shall be enforced by the animal control officer or other officer as provided in § 3.1-796.104 of the Code of Virginia, 1950, as amended.

Sec. 10-115. Effective date.

(a) Any person who keeps a wild or exotic animal in contravention of this article may dispose of the animal by removal of the animal from the county, by giving or selling the animal to a zoological park, or by releasing the animal to the animal control officer. The animal control officer is authorized to release the animal to the wild, to a zoological park, or to a responsible adult, or euthanize the animal, if the circumstances warrant.

(b) This article shall be effective immediately; provided, that any person currently keeping any wild or exotic animals in the county shall dispose of same within five (5) years of the date of adoption of this article; and provided further, that such wild animals shall be registered with the animal control officer within sixty (60) days from the date of adoption of this article.

ARTICLE V. HYBRID CANINE.

Section 10-120 Definitions.

As used in this article:

1. "Hybrid canine" means any animal which at any time has been or is permitted, licensed registered, or otherwise described or represented as a hybrid canine, wolf or coyote by its owner to a licensed veterinarian, law enforcement officer, animal control officer, humane investigator, official of the Department of Health, or representative of the State Veterinarian.

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 § ~~3.1-796.93:1~~, 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: Motor Vehicle License Tax

County Attorney James Ennis said he needed clarification from the Board regarding the County doing away with the automobile decals. He said under the current ordinance, the section requiring the decals could be repealed, but he would need to review an updated copy of the ordinance. Mr. Ennis told the Board of some options regarding the change from an automobile registration to an automobile tax. He said the lack of decals creates an enforcement problem as officers will not be able to discern those who have not paid their fees. He stated that decals are not required for inoperable vehicles, but all vehicles could need a license, whether they are operable or not.

Mr. Ennis said that every ordinance across the state is different, and clarification would be needed on fees for each class and division of vehicle, and there are certain exemptions under the *Code of Virginia* that have to be honored. He added it can be as simple or as complicated as the Board wishes to make it, and it would cover vehicles "normally parked, garaged, or kept" in Prince Edward County. Discussion followed.

Mrs. Shanaberger said the Code of Virginia states the localities cannot charge more for the County license than the State charges for the license.

Chairman Fore asked the Board to form a committee of three to work with Mrs. Puckett and Mrs. Shanaberger in reviewing and revising the ordinance, and then present it to Mr. Ennis for a draft. Discussion of DMV registration and rules followed.

Chairman Fore asked for volunteers to comprise the Committee; Mr. Simpson stated he would serve on the committee, and was appointed Chairman of the committee, with Mr. Fore and Mr. McKay.

In Re: Courthouse Security Fee Ordinance

Mr. Ennis said he reviewed the Courthouse Security Fee Ordinance and that it will not need to be amended as it is written to enable the County to impose the maximum fee allowed by the *Code of Virginia*.

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

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

the Prince Edward County Board of Supervisors approved the increase of the Courthouse Security Fee from \$5.00 to \$10.00, effective July 1, 2007.

In Re: Crossroads Community Service Board – Joint Powers Agreement

Mr. James Ennis, County Attorney, said the Crossroads Community Services Board has put together an agreement to use as a model to be used across the state. This agreement would enable Crossroads to join with Chesterfield Community Services Board to form a regional entity and would not place a burden on the County monetarily. The agreement would allow a transfer of funds between the agencies.

The Board reviewed the Joint Powers Agreement and had no comment.

In Re: Traffic and Criminal Ordinance Updates

Mr. James Ennis said he is trying to secure the final printed versions of the legislation from the last session of the General Assembly. He said he has been able to secure from the Division of Legislative Services in Richmond the language of various bills which does not reflect the veto session. He said some traffic and criminal ordinances may need to be amended and has no recommendation at this time.

In Re: Piedmont Regional Jail – Purchase of Land

Chairman Fore said the Piedmont Regional Jail Board is looking to purchase adjacent land at the cost of \$300,000 for future growth of the jail. He added the Jail Board is empowered to purchase land, and in current operation, is capable of the down payment and payments. He said in spite of this, there is risk involved as it may cost the County money down the road, and he recommended that representation from the Board have a joint meeting with the Jail Board to discuss the purchase of land and look at the financial status of the jail. Chairman Fore said he would like to have three volunteers providing other boards look at it the same way. Discussion on financial obligations followed.

Mrs. Puckett stated it was her understanding the Jail Board's intention was for the Boards of Supervisors from all counties involved to approve or disapprove the land purchase. No action was taken by the Board at this time.

In Re: Summer Holiday Weekends Schedule

Mrs. Sarah E. Puckett, Acting County Administrator, advised the Board of Supervisors that several offices in the Courthouse inquired as to the County's schedule for the Memorial Day and Labor Day holidays. In the past, the Board has closed County offices a half-day on the Friday preceding these Monday summer holiday weekends.

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

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward

the Prince Edward County Board of Supervisors approved closing County offices on Friday, May 25, 2007 at 12:30 p.m. and Friday, August 31, 2007 at 12:30 p.m.

In Re: June Board Meeting Date

Mrs. Puckett said the Board may wish to consider changing the date of its June meeting, as June 12th is the date of the Democratic Primary.

Supervisor Moore made the motion to postpone the June meeting until Wednesday, June 13, 2007.

The motion carried:

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

In Re: FY 2007 – 2008 County Budget

Discussion on a public hearing date for the Fiscal Year 2007 – 2008 County Budget followed. No action was taken by the Board at this time.

In Re: Approval of Appropriation – Regional Jail and Juvenile Detention

In order to complete the current fiscal year, Acting County Administrator Sarah E. Puckett requested an appropriation of \$47,150 to Account #33200-3196, Regional Jail and Detention-Purchase of Services, due to increased expenditures in the juvenile detention line-item. This line item has been over-expended by \$9,145.

Mrs. Puckett stated the costs are for Prince Edward children only, and the costs vary from county to county, year to year. James R. Ennis, County Attorney, stated typically a juvenile must commit three misdemeanors before being detained unless the juvenile is considered a serious risk to public safety or themselves.

On motion by Supervisor Moore and adopted by the following vote:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward

the Prince Edward County Board of Supervisors approved the appropriation.

In Re: Fire Truck Donation to Rice Volunteer Fire Department

Jonathan Pickett, Director of Planning and Community Development, advised the Board that John Nixon, with the Rice Volunteer Fire Department, said a fire department in Tinton Falls Fire District #2, in New Jersey wishes to donate a 1986 pumper truck it no longer uses. The truck must be transferred to another locality, and the Rice Volunteer Fire Department requested the County accept the truck and then transfer it to the department. He added Tinton Falls requested the County sign a “Hold Harmless and Indemnification Agreement,” and if the County wished to proceed with this transaction, Mr. Pickett recommended the Board sign a similar agreement with the Rice Volunteer Fire Department.

On motion of Mr. Jones and carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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the Prince Edward County Board of Supervisors approved the fire truck donation with the proper “Hold Harmless and Indemnification Agreement” paperwork.

In Re: Workforce Investment Board Nominations

Chairman Fore announced the nominations for the Workforce Investment Board (WIB) as follows:

Ms. Roxanne Slaughter
Ms. Margaret Collins

Motion was made by Mr. Jones to endorse Ms. Roxanne Slaughter and Ms. Margaret Collins to the Workforce Investment Board for an additional term of two years. The motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward

Nay: None

In Re: Tobacco Commission Grant Application

Ms. Sharon Carney, Director of Economic Development and Tourism, advised the Board that the Tobacco Commission sold \$600 million worth of bonds, making \$160 million available for Tobacco Grant Funds for the 2008 allocations. This resulted in Prince Edward County's allocation being awarded \$151,760 for Economic Development efforts. She said these funds would be extremely helpful as the County of Prince Edward moves forward in the coming months on the engineering and site work at the Industrial Park. She added the proposed four to six building pad sites on the approximately 44 acres are critical for site inventory for prospective industries. She said the estimated cost of site development is approximately \$1.5 million.

Ms. Carney requested the Board authorize a resolution in support of submission of a Tobacco Indemnification and Community Revitalization Commission Grant application for the June 1, 2007 grant round in the amount of \$151,760.

On motion of Mr. Moore and carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward

Nay: None

the Prince Edward County Board of Supervisors adopted the Project Endorsement Support Resolution; authorized the submittal of a Tobacco Commission Grant application for \$151,760; and authorized the Board Chairman and Acting County Administrator to sign any and all documents necessary for the Tobacco Commission Grant.

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

**VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY
REVITALIZATION COMMISSION
PROJECT ENDORSEMENT RESOLUTION**

WHEREAS, the Virginia Tobacco Indemnification and Community Revitalization Commission was created to help foster economic development in the tobacco dependent communities of Southside and Southeast Virginia; and

WHEREAS, the County of Prince Edward Board of Supervisors would like to submit a grant application for \$151,760 to the Virginia Tobacco Indemnification and Community Revitalization Commission utilizing the County of Prince Edward Tobacco Grant allocations, of which \$151,760 is currently available as of the 2008 Southside Tobacco Grant Allocation, effective June 1, 2007; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, does hereby support a grant application to the Virginia Tobacco Indemnification and Community Revitalization Commission for engineering costs and site development of approximately 44 acres +/- at the Prince Edward Industrial Park for the development of industrial sites as an inducement for the recruitment of prospect industries to locate to Prince Edward County; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia does hereby authorize the Board of Supervisors Chairman and/or Interim County Administrator to sign all necessary grant documents to execute the application, grant reports and grant contract.

In Re: Approval of YMCA Financing Agreement with IDA

Ms. Sharon Carney, Director of Economic Development and Tourism, said the Board authorized the execution of a Partnership agreement between the County and the YMCA during the July 11, 2006 Board meeting, and according to that Agreement's terms and conditions, the Prince Edward County IDA was to obtain financing for the \$1.5 million donation to the Southside Virginia Family YMCA, subject to the approval by the Board of Supervisors.

Ms. Carney said the IDA was commissioned to find the best loan rate and from the ten financial institutions solicited, three responded with very competitive proposals, Central Virginia Bank being the least expensive. She said that at the May 1st, 2007 IDA meeting, the IDA Board voted unanimously to select the Central Virginia Bank proposal as the recommendation to the Board of Supervisors. Ms. Carney requested that the Board accept their recommendation of the Central Virginia Bank proposal for financing the \$1.5 million donation to the Southside Virginia Family YMCA.

On motion of Mr. Jones, seconded by Mr. Simpson, and carried:

Aye: Sally W. Gilfillan
William G. Fore, Jr.
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson

Nay: Pattie Cooper-Jones
Lacy B. Ward

the Prince Edward Board of Supervisors accepted the following resolution requesting the IDA to issue a Revenue Note with Central Virginia Bank in the amount of \$1.5 million for financing of a portion of the Southside Virginia YMCA; approved the Financing Agreement between the County of Prince Edward and the Prince Edward Industrial Development Authority; and authorized the Board Chairman and Acting County Administrator to sign any and all documents necessary for the Funding Resolution and Financing Agreement for the Southside Virginia YMCA.

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA REQUESTING
THE INDUSTRIAL DEVELOPMENT AUTHORITY TO ISSUE
ITS REVENUE NOTE TO FINANCE A PORTION OF THE
ACQUISITION AND CONSTRUCTION OF A FACILITY FOR
THE SOUTHSIDE VIRGINIA FAMILY YMCA**

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Prince Edward, Virginia (the "County") has previously approved a partnership agreement with the Southside Virginia Family YMCA (the "YMCA") to assist in financing the acquisition and construction of a recreational facility in the County and to donate approximately 31 acres to the YMCA; and

WHEREAS, the County determines that the construction and operation of a recreational facility by the YMCA will benefit the County and its residents by providing a physically and economically accessible recreational facility for all segments of the community and will improve public health, well being and overall quality of life in the County; and

WHEREAS, the County pursuant to Section 15.2-953 of the Code of Virginia of 1950, as amended, will make a \$1,500,000 contribution to be applied to the costs of the recreational facility (the "Contribution"); and

WHEREAS, the County will finance the Contribution by the issuance of a revenue note through the Industrial Development Authority of Prince Edward County, Virginia (the "Authority");

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF PRINCE EDWARD, VIRGINIA:**

1. Issuance of Note. The Board requests the Authority to issue its revenue note (the "Note") in the maximum principal amount of \$1,500,000 to be paid from revenues derived from payments made by the County pursuant to a financing agreement or lease between the County and the Authority (the "Financing Agreement").
2. Authorization of Financing Documents. The execution and delivery of and performance by the County of its obligations under the Financing Agreement are authorized. The Financing Agreement and the Note shall be in such form and contain

such provisions as the County Administrator and the Chairman of the Board, or either of them, shall approve, such approval to be evidenced conclusively by the execution and delivery of the Financing Agreement, provided that the aggregate principal components payable under the Financing Agreement shall not exceed \$1,500,000.

3. Execution of Documents. The Chairman of the Board and the County Administrator, or either of them, are authorized to execute on behalf of the County the Financing Agreement, and, if required, to affix or to cause to be affixed the seal of the County to the Financing Agreement and to attest such seal. Such officers or their designees are authorized to execute and deliver on behalf of the County such instruments, documents or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution or contemplated by the Financing Agreement; and all of the foregoing, previously done or performed by such officers or agents of the County, are in all respects approved, ratified and confirmed.

4. Acceptance of Proposal. The proposal of Central Virginia Bank; dated March 26, 2007, to provide the financing is accepted.

5. Nature of Obligations. Nothing in this Resolution, the Note or the Financing Agreement shall constitute a debt of the County and the Authority shall not be obligated to make any payments under the Note except from payments made by or on behalf of the County under the Financing Agreement. The County's obligations to make payments pursuant to the Financing Agreement shall be subject to and dependent upon annual appropriations being made from time to time by the Board for such purpose. Nothing in this Resolution, the Note or the Financing Agreement shall constitute a pledge of the full faith and credit of the County beyond the constitutionally permitted annual appropriations.

6. Designation for Purchase by Financial Institutions. The County requests the Authority to designate the Note as a "qualified tax-exempt obligation" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Code. The County does not reasonably anticipate that it and any "subordinate entities" will issue more than \$10,000,000 in tax-exempt obligations during calendar year 2007 and the County will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3) in calendar year 2007.

7. Allocation of Small Issuer Exception Amount. The Board pursuant to Code Section 148(f)(4)(D)(iv) irrevocably allocates to the Authority \$1,500,000 of the County's authority under Code Section 148(f)(4)(D) to issue up to \$5,000,000 in tax-exempt obligations in calendar year 2006 that are exempt from the rebate and reporting requirements of Code Section 148(f).

8. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Prince Edward, Virginia, certifies that the foregoing constitutes a true, complete and correct copy of the Resolution adopted at a regular meeting of the Board of Supervisors of the County of Prince Edward, Virginia, held on May 8, 2007.

In Re: Zoning Issues

Supervisor Gilfillan said she had some questions regarding the zoning and conditional use permits and if the requirements are being met by Southern Sales, Inc. Mr. Pickett said Southern Sales has applied for the highway entrance permit from VDOT, some cedar trees have been planted and State Park personnel have been asked to look to see if they're satisfied with the buffer. In addition, the storm water concerns are still being addressed. Mr. Pickett added the DMV has also been asked to investigate the dealer's license and to ensure he is collecting sales tax.

Supervisor Gilfillan also asked about an opening on the Planning Commission. Mr. Pickett said that is on next month's agenda. Mrs. Puckett said that is one being advertised for June appointments. Mrs. Gilfillan said the position would be appointed from countywide based on qualifications, but those qualifications have not been defined.

Mrs. Gilfillan said she has been contacted again regarding the conditional use permit issued to the Dunn Brothers and the fact no time limit was placed on the permit. Mr. Pickett stated that he spoke with one of the principals the week previous and was told the housing market at this point was not conducive to even begin Phase I of the project at this time. Mrs. Gilfillan asked if the conditional use permit would go with the property if sold. Mr. Pickett said the permit for the townhouses would go with the property, but not any additional use.

Mrs. Gilfillan said she has also been contacted by a number of citizens concerning the zoning ordinance. Mr. Pickett said the Board had agreed previously to concentrate on the budget first, and then suggested an informational meeting be held in June, and a vote in July. He said there are some changes to be made in the ordinance based on comments made at the public hearing. The Board would then hold a work session, and then an informational meeting where the public may ask questions, and finally the Board would vote.

Supervisor Gilfillan said a number of citizens contacted her about the 300 foot set-back in front of Crestview. Mr. Pickett stated he went to a zoning law workshop and learned that if a "downzoning" to residential was approved, the two property owners would have a strong court case against the County. Supervisor Jones distributed information regarding the Route 15 Corridor zoning for review by the Board members and to be placed on the June meeting agenda.

In Re: Emergency Communications

Mrs. Gilfillan said broadband communications need to be brought to the area for emergency communications, and Prince Edward County, the Town of Farmville, Longwood and Hampden-Sydney are going to need an emergency communications plan. She said Embarq cuts off after a certain number of calls and gives an “all circuits are busy” message. She said if there would be a tragedy here of the magnitude that occurred at Virginia Tech, the telephone system would shut down. Ms. Sharon Carney explained the “choke off point” occurs when call volume reaches 50% and then the recording is played, and email is affected as well. Mrs. Gilfillan said that the County and the Town of Farmville need to be involved in the promotion of a better communication plan.

In Re: Closed Session

Supervisor Moore made a motion that the Board convene in Closed Session for the discussion of the salary of a specific public official, the Sheriff, and for consultation with legal counsel pertaining to probable litigation, pursuant to the exemptions provided for in Sections 2.2-3711(A)(1) and (A)(7) of the *Code of Virginia*. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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The Board returned to regular session by motion of Mr. McKay and adopted as follows:

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

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward

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: Salary Increase for Constitutional Officers

On motion of Mrs. Cooper-Jones and carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward

Nay: None

the Prince Edward Board of Supervisors approved a salary increase for the Constitutional Officers.

In Re: Animal Warden's Report

Mr. Ray Foster, Animal Warden, submitted a report for the month of April 2007, 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 April 2007, which was reviewed and ordered to be filed with the Board papers.

In Re: Financial Report from Prince Edward County Schools

Dr. Patricia Watkins, School Superintendent, submitted a financial summary report for the month of April 2007, which was reviewed and ordered to be filed with the Board papers.

In Re: PERT Ridership Report

The Board reviewed the March 2007 report from PERT and ordered it to be filed with the Board papers.

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

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

the meeting was recessed at 10:45 p.m., and will reconvene at 2:30 p.m., May 15, 2007.