

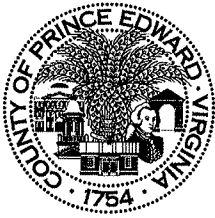


BOARD OF SUPERVISORS MEETING

ADDENDUM PACKET

July 12, 2016

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15.	Amendment to Va.'s Heartland Regional Industrial Facility Ordinance	153
16.	<u>CLOSED SESSION</u> : 2.2-3711(A)(7), <i>Code of Virginia</i> (Pending Litigation)	163



**County of Prince Edward
Board of Supervisors
Agenda Summary**

Meeting Date: July 12, 2016
Item No.: 15
Department: County Administrator
Staff Contact: W.W. Bartlett
Issue: Virginia’s Heartland Regional Industrial Facility Authority

Summary: As the Board may be aware, the County of Prince Edward is a member of the Virginia’s Heartland Regional Industrial Facility Authority. The members of the Authority are the Counties of Amelia, Buckingham, Charlotte, Cumberland, Lunenburg and Prince Edward. The Authority was created by ordinance in November of 2000 for the purpose of supporting regional economic development efforts. The Authority owns the regional industrial park located on Rt. 360 in Charlotte County.

The Authority *Ordinance* provides that each locality may appoint two representatives to the Authority Board. Authority members shall be two of the following: the County Administrator, a member of the Board of Supervisors, a member of the Industrial Development Authority. Charlotte County is the fiscal agent for the Authority, and the Charlotte County Attorney is recommending that the member localities consider an amendment to the *Ordinance* that created the Authority.

At present, the Authority *Ordinance* stipulates that each Authority Board member may only service two four-year terms. The *Code of Virginia* allows a member locality’s appointees to be re-appointed as often as the member locality’s governing body wishes. It is recommended that the Authority’s *Ordinance* be brought into agreement with the *Code of Virginia*. To move this forward the Board will wish to authorize a public hearing for an amendment to the *Ordinance*.

Attachments: Virginia’s Heartland Regional Industrial Facility Ordinance
Draft Resolution for Appointments to Authority Board
Draft Ordinance Amendment

Recommendation:

1. Make two appointments to the Authority Board. The Board may wish to consider appointing the County Administrator, as this position manages the financial and economic development programs for the County. Additionally, the Board member who chairs the County’s “Properties and Community Development Committee” is seemingly appropriate, as that individual will be working on economic development projects at the Board level.
2. Authorize a Public Hearing on the proposed amendments removing the term limits for Board members to the Authority Ordinance.

Motion _____	Cooper-Jones _____	Pride _____	Townsend _____
Second _____	Gray _____	Simpson _____	Wilck _____
	Jones _____	Timmons _____	

NOVEMBER 15, 2000

In Re: Virginia's Heartland Regional Industrial Facility Authority Ordinance and Revenue Sharing Agreement

County Administrator, Mildred B. Hampton, advised the Board that the Counties of Prince Edward, Amelia, Buckingham, Charlotte, Cumberland and Lunenburg were moving forward with the development of a new 400-acre regional industrial park, which will be located on U.S. 360 near Keysville. Funding for the park comes from a \$1,375,000 grant through the Virginia Industrial Site Development Fund (ISDF) and \$1,375,000 from the Tobacco Commission. No local funds will be necessary. One of the requirements of the ISDF program is that each of the participating counties adopt a revenue sharing agreement. The participating counties also felt it was important that the assets of the industrial park be held by a regional entity that could represent the interests of all of the member counties. The creation of a Regional Industrial Facility Authority would provide the mechanism. Additionally, each Board of Supervisors would appoint two representatives to serve on the authority.

Mrs. Hampton advised that the Charlotte and Lunenburg Counties had already adopted the ordinance to create the regional industrial facility authority and the revenue sharing agreement. She indicated there had been two changes made to the documents since they were originally distributed. The first was in the Authority Ordinance and concerned language about subsequent appointments to the Authority Board. The Second change revised the Revenue Sharing Agreement to give the decision making power of the distribution of funds to the Authority Board, rather than mandate it automatically be distributed to the Counties.

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

Aye: William G. Fore, Jr.	Nay: Lacy B. Ward
Robert M. Jones	
Charles W. McKay	
James C. Fore	
Howard F. Simpson	
Mary M. Stokes	
Hunter R. Watson	

the Board approved adoption of:

- 1) the ordinance to create the regional industrial facility authority, and
- 2) the revenue sharing agreement.

They also named Board Chairman, Hunter R. Watson; and County Administrator, Mildred B. Hampton, as the County's representatives on the Virginia's Heartland Regional Industrial Facility Authority.

The adopted documents read as follows:

AN ORDINANCE TO CREATE THE VIRGINIA'S HEARTLAND REGIONAL INDUSTRIAL FACILITY AUTHORITY

WHEREAS the Prince Edward County Board of Supervisors (the Board) has determined that the economic growth and development of Prince Edward County and the comfort, convenience, and welfare of its citizens require the development of a large regional industrial facility; and,

WHEREAS the purpose of the large regional facility is to compliment the existing smaller facilities available in the County and to attract the business prospects that desire a large facility not otherwise available in the "Heartland Region"; and

WHEREAS the creation of a large regional facility will draw a large number of prospects, not otherwise coming into the County as industry support or business support to the larger regional industrial facility and will facilitate economic development in the County that would not otherwise be available; and

WHEREAS the Board has recognized that regional cooperation in industrial development will assist the County and other cooperating localities to achieve a greater degree of economic stability; and,

WHEREAS the Board has further determined that joint action through a regional industrial facilities authority will facilitate the development of need facilities and enhance the economic base for the member localities by developing, owning, and operating one or more facilities on a cooperative basis; and,

WHEREAS the Board has determined that formation of a regional industrial facilities authority in cooperation with the counties of Buckingham, Charlotte, Cumberland, Amelia and Lunenburg along with the Prince Edward County (the "Heartland Counties") and in compliance with the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, will benefit the inhabitants of the region and other areas of the Commonwealth, for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity;

NOVEMBER 15, 2000

NOW THEREFORE, be it ORDAINED by the Board of Supervisors of Prince Edward County, Virginia that:

In accord with Title 15.2, Chapter 64 of the 1950 Code of Virginia, as amended, there is hereby created the Virginia's Heartland Regional Industrial Facility Authority, provided:

THAT this ordinance shall become effective upon adoption of a similar ordinance by each of the Heartland Counties; and

THAT the adopting ordinance of each of the Heartland Counties shall contain provisions regarding the Virginia's Heartland Regional Industrial Facility Authority identical to the provisions as stated in the following ordinance, and

BE IT FURTHER ORDAINED,

1) The Chairman of the Prince Edward County Board of Supervisors is authorized, upon review and majority vote of the members of the Board of Supervisors in favor of the Agreement, to execute an agreement establishing the respective rights and obligations of Prince Edward County and each of the other Heartland Counties with respect to the Virginia's Heartland Regional Industrial Facility Authority consistent with Title 15.2, Chapter 64 of the 1950 Code of Virginia, as amended, and

2) Definitions.

"Act" shall mean the Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended.

"Agreement" shall mean the "Agreement for Cost Sharing and Revenue Sharing between each of the Heartland Counties."

"Authority" shall mean the regional industrial facility authority created hereby by cooperative action of each of the Heartland Counties and named herein, the Virginia Heartland Regional Industrial Facility Authority."

"Board of Directors" shall mean the Board of Directors of the Virginia Heartland Regional Industrial Facility Authority.

"Governing Body" shall mean the board of supervisors of counties that are members of the Authority.

"Member Localities" shall mean all members of the Virginia Heartland Regional Industrial Facility Authority, which initially include Amelia County, Buckingham County, Charlotte County, Cumberland County, Lunenburg County and Prince Edward County.

3) Creation, Name, Powers, Dissolution and Fiscal Year.

a) There is hereby created, pursuant to the Act and in conjunction with the adoption of a similar ordinance by the Board of Supervisors of each of the Heartland's Counties, a political subdivision of the Commonwealth named the "Virginia's Heartland Regional Industrial Facility Authority." The Virginia's Heartland Regional Industrial Facility Authority may use the short name, "Heartland Authority".

b) The Authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient. The Authority shall have all rights, duties and powers provided by provision of the Act, and including such powers, rights, and duties as may hereafter be set forth from time to time in the Act.

c) The Authority may be dissolved by resolution of the Board of Directors in compliance with provisions for dissolution stated in the Act.

d) The fiscal year for the Authority shall be the same as that of the Commonwealth.

4) Purpose.

The Authority is charged with the specific purpose to develop the "Virginia's Heartland First Regional Industrial Park" as a regional industrial park and for the additional purpose of future development of other industrial properties or other reasons as permitted by the Act and as agreed upon by the Member Localities.

5) Membership.

The Member Localities of the Authority are Amelia County, Buckingham County, Charlotte County, Cumberland County, Lunenburg County and Prince Edward County, each of which is a political subdivision of the Commonwealth of Virginia, and each of which is authorized by the Act to participate in the Authority. The membership may, with the approval of the Board of Directors, be expanded in compliance with provision for expansion as stated in the Act.

6) Member Locality Agreement.

The Authority shall be governed by the Act, this Article, and by the Agreement executed by the Governing Body of each Member Locality. The Agreement shall establish the respective rights and obligations of the Member Localities and shall provide for revenue and economic growth-sharing arrangements with respect to tax revenues and other income and revenues generated by any facility owned by the Authority.

7) Board of Directors.

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7) Board of Directors

- (a) The powers, rights, and duties conferred by the Act upon the Authority shall be exercised by a Board of Directors, which shall initially consist of two members appointed by the Governing Body of each Member Locality. The number of directors of the Authority may be supplemented by decision of and appointment by the Governing Bodies as permitted by the Act.
- (b) Each Member Locality shall initially appoint to the Board of Directors the County Administrator and either a member of the Governing Body or a member of the Industrial Development Authority. Subsequent appointments shall be selected from the following: the County Administrator, a member of the Governing Body or a member of the Industrial Development Authority.
- (c) Each member of the Board of Directors shall serve for a term of four years and may be reappointed for one additional four-year term, with the following exception regarding the initial Board of Directors to provide for staggered terms. One of the two members appointed from each Member Locality to the initial Board of Directors shall be appointed for a term of two years and may be reappointed for an additional four-year term. The term of office of the members of the initial Board of Directors shall begin on the date of the creation of the Authority.
- (d) Each member of the Board of Directors, before entering upon the discharge of the duties of the office, shall take and subscribe to the oath prescribed in section 49-1 of the Code of Virginia, 1950, as amended, and shall serve in compliance with the Act, this Article, and the Agreement.
- (e) The Board of Directors shall adopt bylaws, rules and/or regulations to carry out the provisions of the Act. The bylaws, rules, and/or regulations shall, among other things, specify the principal office for the Authority, identify the schedule and place for meetings of the Board of Directors, and provide for the general administration of the operations of the Authority.
- (f) Members of the Board of Directors shall be reimbursed for actual expenses incurred in the performance of their duties from funds available to the Authority.

(8) Principal office location, records, and title to property.

The principal office of the Authority shall be located within a Member Locality. All records shall be kept at such office. The title to all property of every kind belonging to the Authority shall be titled to the Authority, which shall hold such title for the benefit of its Member Localities.

(9) Funding.

Funding of the Authority shall be by appropriation as decided from time-to-time by the Governing Bodies of the Member Localities and from such other sources as are identified in the Agreement.

(10) Required Reports.

- (a) Annual Reports. The Board of Directors shall report to the Governing Body of each Member Locality annually, on or before the last March meeting of the Governing Body, on the activities of the Authority. In addition to oral presentation at the meeting, a written annual report shall be provided prior to the meeting and shall contain, at a minimum, the following information:
 - (i.) A financial update through December 31 of the current fiscal year,
 - (ii.) After completion of the first fiscal year, an audited financial report showing expenditures and revenues and a statement showing financial condition at the end of the preceding fiscal year;
 - (iii.) A written report, approved by the Board of Directors, of the activities and accomplishments of the Authority and recommendations regarding future activities of the Authority; and
 - (iv.) A list of tenants, purchasers or other persons occupying the Virginia's Heartland First Regional Industrial Park or any other regional industrial facilities developed by the Authority.
- (b) Special Reports. Upon written request of the Governing Body of any Member Locality, the Board of Directors shall report to the Governing Body within (30) days of receipt of the request or within a longer period if so provided in the written request. The special report shall describe the activities and financial status of the Authority within the six-month period immediately preceding the request, or as otherwise specified in the written request and shall be furnished to each Member Locality. A written report shall be provided if requested.

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**REGIONAL INDUSTRIAL FACILITY AUTHORITY AGREEMENT FOR COST
SHARING AND REVENUE SHARING BETWEEN AMELIA COUNTY, VIRGINIA,
BUCKINGHAM COUNTY, VIRGINIA, CHARLOTTE COUNTY, VIRGINIA,
CUMBERLAND COUNTY, VIRGINIA, LUNENBURG COUNTY, VIRGINIA AND
PRINCE EDWARD COUNTY, VIRGINIA**

Virginia's Heartland First Regional Industrial Park

This agreement is made and entered into this ____ day of January, 2001, by and between the Amelia County Board of Supervisors (hereafter "Amelia County"), the Buckingham County Board of Supervisors (hereafter "Buckingham County"), the Charlotte County Board of Supervisors (hereafter "Charlotte County"), the Cumberland County Board of Supervisors (hereafter "Cumberland County"), the Lunenburg County Board of Supervisors (hereafter "Lunenburg County"), and the Prince Edward County Board of Supervisors (hereafter "Prince Edward"). Amelia County, Buckingham County, Charlotte County, Cumberland County, Lunenburg County, and Prince Edward County are collectively referred to as the "Heartland Counties".

RECITATIONS;

- A. The Virginia Economic Development Partnership has determined that seventy-five percent (75%) of business prospects fail to visit any Heartland County due to the lack of large industrial parks (minimum acreage of 200-300 acres).
- B. The Heartland Counties have heretofore agreed to work cooperatively to develop the Virginia's Heartland First Regional Industrial Park as a regional industrial park, incorporating the approximately 400 acres ("Phase I") owned by the Virginia's Heartland Partnership, Inc. (the "Partnership"). The purpose of the regional industrial park is to enhance the desirability of small facilities in the Heartland Counties and not to be in competition with those existing facilities.
- C. A Preliminary Engineering Report for the Virginia's Heartland First Regional Industrial Park (the "Project") completed by Dewberry & Davis, Inc. and dated January 10, 2000, provides a cost estimate of \$2,773,830 for the Phase I.
- D. To assist in the development of the Project, an application was made on behalf of the Heartland Counties by Virginia's Heartland Partnership, Inc. (the "Agent") to request \$1,375,000 from the Virginia Industrial Site Development Fund (ISDF) which is the maximum amount available from the program. The state funds which were awarded to the Project on August 23, 2000, will be spent toward the infrastructure and site preparation of the Project. The award is subject to certain conditions including, but not limited to, the creation of an industrial facilities authority or the designation of a lead county.
- E. To further assist in the development of the Project, the Partnership submitted a request for an additional \$1,375,000 to the Virginia Tobacco and Indemnification and Community Revitalization Commission (the "Commission"). The Commission made a conditional commitment for such funds and the required conditions were satisfied with the filing of the application on October 30, 2000.
- F. The Virginia Regional Industrial Facilities Act, Chapter 64 of title 15.2 of the Code of Virginia, 1950, as amended (the "Act"), allows for local jurisdictions in the Commonwealth to form regional industrial authorities and to share development costs and tax revenues from regional industrial parks.

WITNESSETH: That for and in consideration of the mutual benefits inuring to each of the parties hereto, and in further consideration of the duties and responsibility hereby imposed upon the parties hereto, the parties do hereby covenant and agree as follows:

1. Creation of Regional Industrial Facility Authority

The Heartland Counties agree to establish a regional industrial facility authority through adoption of respective ordinances, as allowed by and in compliance with the Act. The powers, rights, and duties of the Authority shall be exercised by a Board of Directors composed of twelve members, to include two from each county and who shall each be a member of the county Board of Supervisors, members of the Industrial Development Authority or the County Administrator as appointed by each respective Board of Supervisors. The terms and duties of the members of the Board of Directors shall be specified as in the ordinance and in the Act. The regional industrial facility authority shall be named the "Virginia Heartland Regional Industrial Facility Authority," herein referred to as the "Heartland Authority". Each jurisdiction agrees to consider for adoption an ordinance forming the Heartland Authority by January 15, 2001. This agreement shall become null and void as of January 20, 2001, if each of the jurisdictions have not adopted such an ordinance by that date.

2. Purchase of Property and Title Transfer.

A contract has been entered into by the Agent for the purchase of the property for the Project and the contract rights will be transferred to the Authority upon adoption of this Ordinance by each of the jurisdictions.

3. Project Funding.

The parties herein have received an Industrial Site Development Fund ("ISDF") grant from the Commonwealth of Virginia for \$1,375,000 subject to certain conditions including the execution of the Agreement. An additional \$1,375,000 is anticipated

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from the Commission which satisfies the local match required by ISDF.

4. Administration of Project Funding.

a.) It is understood and agreed that the Authority will serve as "fiscal agent" for the Project funding.

b.) It is hereby understood and agreed that the Authority accepts responsibility for administration of any contract for engineering services (including final design, inspection services, and construction administration).

5. Pursuit of Other Funding.

Nothing in this agreement shall preclude any Heartland County, either jointly or separately, from pursuing, and successfully receiving, other funding sources to pay for site development to match the anticipated ISDF or Commission funds or to pay for any costs increases beyond the anticipated development cost. It is the intent of all Heartland Counties to determine funding share in the costs of future development of the park and in any incentive proposals for mutually agreed upon business projects at the time of such development.

6. Proceeds from Sale of Property.

The proceeds from the sale of any property in the Project shall be divided between the Counties, returning these funds to each, respectively in proportions to funding participation in the Agent and the Authority or to be reinvested in the Authority. Such decision shall be made in the sole discretion of the Board of Directors of the Authority. The proportion of proceeds due to each Heartland County, if applicable, shall be paid within sixty (60) days of the closing on the sale.

7. Sharing of Tax Revenues.

Once one or more industries have located within the Project, Charlotte County will begin to realize tax revenues from such industries for business personal property tax ("business personal property" tax shall include all taxes other than real estate taxes). Charlotte County alone shall rate at which business personal property is taxed and the due date of such taxes. Charlotte County will incur costs such as police, fire and public safety expenses and will suffer loss of income from state and federal sources because of the location of the Project and therefore, shall each retain five percent (5%) of the business personal property tax revenues collected from industry located within the Project ("Project Revenues"). The remaining ninety-five percent (95%) shall be distributed as follows:

(i.) fifty percent (50%) to the Authority for maintenance of the Project and (ii.) forty-five percent (45%) to the Agent for regional marketing efforts.

8. Payment of Tax Revenues to the Authority

Charlotte County shall pay the portion of business personal property tax revenues due to each Authority within sixty (60) days of actual receipt of such tax.

9. Joint Marketing and Management of the Industrial Park.

It shall be the responsibility of the Partnership to market the Virginia's Heartland's First Regional Industrial Park. The Heartland Counties have previously agreed to funding for the Partnership.

10. VDOT Industrial Access Funds

As "host" locality, Charlotte County acknowledges that it must be the locality which applies for industrial access road funding (unless legislation becomes available to allow the Authority to access such funds), if needed for a particular industry (or industries). It is not the intent of any Heartland County to apply for these funds unless a qualified industry meets the private investment requirements for the program. Any proposal to locally fund or locally match state funding for permanent road construction must be considered as separate from this Agreement, subject to approval by all Heartland Counties.

11. Legislative Effort to Enhance the Economic Activity in the Heartland Counties

The Heartland Counties will aggressively pursue legislative action to address the issue of VDOT Industrial Funds for regional authorities and legislation to provide that regional enterprise zone designations shall include all towns located with a participating County and in particular to include Kenbridge and Victoria that have previously been denied such designation.

12. Amendments.

This Agreement may be modified or amended by written agreement approved by all parties, for further development of the Virginia's Heartland's First Regional Industrial Park, for future development of other industrial properties, or for other agreed upon reasons, including the withdrawal of any Heartland County from the Authority and/or the Partnership.

NOVEMBER 15, 2000

13. Severability

The parts and provisions of this Agreement are severable. If any part or provision shall be held invalid by a court of competent jurisdiction, the remainder of this Agreement shall remain in full force and effect.

14. Successors in Title.

It is agreed that the terms and conditions hereof shall be binding upon the parties hereto, and in addition, upon successors to the parties hereto.

15. Entire Agreement.

The parties acknowledge that this Agreement incorporates all terms and conditions agreed to between them, and further agree that there shall be no oral modification hereof, and that any written modification shall be effective only if duly signed on behalf of the parties hereto.

In Re: Resolution Supporting the Amendment to the Virginia Enterprise Zone Regulations

Assistant County Administrator, Sarah J. Elam, explained that Lunenburg County had requested Prince Edward's support for amending the regulations of the Virginia Enterprise Zone Program to allow towns to be included in a County's designated enterprise zone even when not a participant of the original zone application. A resolution of support was presented for the Board's review and was adopted by motion of Mr. Simpson, seconded by Mr. Moore, and carried by the following vote:

Aye:	William G. Fore, Jr.	Nay: None	Abstain: Lacy G. Ward
	Robert M. Jones		
	Charles W. McKay		
	James C. Moore		
	Howard F. Simpson		
	Mary M. Stokes		
	Hunter R. Watson		

**A RESOLUTION OF
THE BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA
CONCERNING AMENDING THE REGULATIONS OF THE
VIRGINIA ENTERPRISE ZONE PROGRAM**

WHEREAS, the counties and towns of Virginia's Heartland wish to foster economic growth and vitality for our communities and region; and

WHEREAS, the Virginia Enterprise Zone Program is an important economic development program which provides business and industry a package of state and local incentives to stimulate new private investment and job creation in Virginia's economically distressed communities; and

WHEREAS, the current regulations of the Virginia Enterprise Zone Program prohibits towns from being included in a designated zone when not a participant of the original zone application; and

WHEREAS, this regulation adversely impacts the economic development opportunities of the towns and counties of Virginia's Heartland; now, therefore

BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, requests the Virginia General Assembly direct the Virginia Department of Housing and Community Development to amend the regulations of the Virginia Enterprise Zone Program to allow towns to be an eligible participant in a designated zone when not a participant in the original enterprise zone.

In Re: Boundary Adjustment

County Administrator, Mildred B. Hampton, advised that during the October 10th meeting, the Board had authorized a public hearing for the November meeting to gather citizen input on a boundary adjustment proposed for the area behind the Wal-Mart Supercenter. Advertisement of the hearing was contingent upon receiving a copy of the proposed boundary adjustment agreement.

Mrs. Hampton noted that the County had not received a copy of the proposed agreement, but that all property owners in the affected area had notified here office that they had no objections to the boundary adjustment.

Mr. Moore made a motion to advertise a public hearing for the December meeting on a boundary adjustment of the 61-acre parcel behind the Wal-Mart Supercenter, pending receipt of the proposed agreement. The motion carried by the following vote:

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

**APPOINTMENTS TO BOARD OF DIRECTORS OF
VIRGINIA'S HEARTLAND REGIONAL INDUSTRIAL FACILITY AUTHORITY**

At a regular meeting of the Board of Supervisors of the County of Prince Edward, Virginia, held at the Prince Edward County Courthouse, Board of Supervisors Room, July 12, 2016, at 7:00 p.m.

MEMBERS PRESENT:	Chairman Howard F. Simpson Vice Chairman Robert M. Jones Pattie Cooper-Jones Calvin L. Gray Odessa H. Pride C. Robert Timmons, Jr. Jerry R. Townsend James R. Wilck	MEMBERS ABSENT:	None
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On a motion of Supervisor _____ seconded by Supervisor _____ and carried by the following vote:

Aye:

Nay:

IT IS HEREBY RESOLVED, that _____ is hereby appointed as a member of the Board of Directors of Virginia's Heartland Regional Industrial Facility Authority for a term extending to and through June 30, 2018.

IT IS HEREBY FURTHER RESOLVED, that _____ is hereby appointed as a member of the Board of Directors of Virginia's Heartland Regional Industrial Facility Authority for a term extending to and through June 30, 2020.

Certification

I hereby certify that the foregoing resolution was duly considered by the Board of Supervisors of the County of Prince Edward, Virginia at a regular board meeting in Prince Edward County, Virginia, at which a quorum was present and that same was passed this 12th day of July, 2016.

Howard F. Simpson, Chairman

CERTIFIED TRUE COPY

W.W. Bartlett, County Administrator

BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA

**TO AMEND THE VIRGINIA'S HEARTLAND REGIONAL INDUSTRIAL FACILITY AUTHORITY ORDINANCE
TERMS OF OFFICE OF APPOINTEES TO BOARD OF DIRECTORS**

At a regular meeting of the Board of Supervisors of the County of Prince Edward, Virginia, held at the Prince Edward County Courthouse, Board of Supervisors Room, Tuesday, August __, 2016, at 7:00 p.m.

MEMBERS PRESENT: Chairman Howard F. Simpson
Vice Chairman Robert M. Jones
Pattie Cooper-Jones
Calvin L. Gray
Odessa H. Pride
C. Robert Timmons, Jr.
Jerry R. Townsend
James R. Wilck

MEMBERS ABSENT: None

On a motion of Supervisor _____ seconded by Supervisor _____ and carried by the following vote:

Aye:

Nay:

RECITALS:

- R-1 In 2000, the Prince Edward County Board of Supervisors adopted an ordinance creating Virginia's Heartland Regional Industrial Facility Authority ("Heartland Authority");
- R-2 In Paragraph 7 (c) of the 2000 *Ordinance*, membership on the Heartland Authority Board of Directors was limited to two four-year terms for each appointee;
- R-3 Section 15.2-6403.A. of the *Code of Virginia* allows the reappointment of members to the Heartland Authority Board of Directors for as many four-year terms as the appointing governing body desires; and
- R-4 The Prince Edward County Board of Supervisors adopts this ordinance to remove the term limit imposed by the 2000 *Ordinance*, and instead provide for reappointment of members to the Virginia's Heartland Authority Board of Directors as provided for in Section 15.2-6403.A. of the *Code of Virginia*.

IT IS, ACCORDINGLY, HEREBY ORDAINED AS FOLLOWS:

- 1. Each appointee to the Heartland Authority Board of Directors shall serve for a term of four years, and may be reappointed for as many terms as the Prince Edward County Board of Supervisors desires; and
- 2. Except to the extent amended hereby, all terms and conditions of the 2000 *Ordinance* shall remain in force and effect.

Certification

I hereby certify that the foregoing was duly considered by the Board of Supervisors of the County of Prince Edward, Virginia at a regular board meeting in Prince Edward County, Virginia, at which a quorum was present and that same was passed this ___th day of August, 2016.

Howard F. Simpson, Chairman

CERTIFIED TRUE COPY

W.W. Bartlett, County Administrator



**County of Prince Edward
Board of Supervisors
Agenda Summary**

Meeting Date: July 12, 2016
Item No.: 16
Department: County Administration/County Attorneys
Staff Contact: W.W. Bartlett/James R. Ennis
Issue: Closed Session

Summary:

I move that the Prince Edward County Board of Supervisors convene in Closed Session:

- a) For consultation with legal counsel pertaining to pending litigation regarding an appeal to the Circuit Court of a real estate tax assessment, pursuant to the exemption provided for in Section 2.2-3711(A)(7) of the *Code of Virginia*.

Attachments:

Recommendation: Convene in Closed Session.

Motion _____
Second _____

Cooper-Jones _____
Gray _____
Jones _____

Pride _____
Simpson _____
Timmons _____

Townsend _____
Wilck _____

