

August 21, 2020

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Friday, the 21st day of August, 2020; at 5:30 p.m., there were present:

Beverly M. Booth

Pattie Cooper-Jones

J. David Emert

Llew W. Gilliam, Jr.

Robert M. Jones

Odessa H. Pride

Jerry R. Townsend

James R. Wilck

Also present: Wade Bartlett, County Administrator; Sarah Elam Puckett, Assistant County Administrator; and Terri Atkins Wilson, County Attorney.

Chairman Townsend called the Special Called meeting to order.

Supervisor Gilliam left the meeting at this time.

Chairman Townsend stated:

Due to the COVID-19 Emergency, the Board of Supervisors is operating pursuant to and in compliance with its "EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER." This meeting is closed to in-person participation by the General Public, but citizens may listen to the meeting by calling 1-425-436-6394, Access Code: 867576#.

Chairman Townsend then read the following:

Public Participation and Public Hearing comments for County meetings will be received by Karin Everhart, Deputy Clerk to the Board of Supervisors, using one the following methods:

1. **Written Comments:** Please limit word count to no more than 500 words. Must be received by 2:00 p.m. the day of the meeting.
 - a. **Mailed:** Board of Supervisors, P.O. Box 382, Farmville, VA 23901.
 - a. **E-Mailed:** Board of Supervisors: board@co.prince-edward.va.us

b. **County Dropbox:** Written comments may also be placed in the County “payment dropbox”, located in courthouse parking lot by 2:00 p.m. the day of the meeting.

2. **Verbal Comments:** Citizens may also participate remotely during the meeting. Using the meeting call-in information provided above, citizens may **phone-in to the meeting and provide comments during the Public Participation/Public Hearing portion of the agenda**; however, **citizens must pre-register** with the County Administrator’s Office at 434-392-8837 by 2:00 p.m. the day of the meeting. Callers must be on the line and ready to speak when called upon by the Chair. Please state your name and district of residence. Based upon the # of pre-registered speakers, the Chair will determine the time allotted to each speaker.

Chairman Townsend then stated:

Ladies & Gentlemen -

I wish to recognize that Supervisors Beverly Booth, Pattie Cooper-Jones and Jim Wilck are with us this evening via remote telephone access. As required by the Board of Supervisors’ Electronic Meeting Policy and Section 2.2-3708.2 of the Code of Virginia, Supervisor Booth, Supervisor Cooper-Jones and Supervisor Wilck have provided notice that they will be physically absent from tonight’s Board meeting, because of family and personal obligations. They have requested remote participation in tonight’s Board meeting and will be participating from 327 Flagstone Drive, Myrtle Beach, South Carolina, 214-J Parkview Drive, Farmville, Virginia, and 814 Creekwood Trail, Farmville, Virginia.

All three requests are in conformance with the Board’s Electronic Meeting Policy and the requirements of the Code of Virginia. Pending an objection from a member of this Board of Supervisors, remote participation for Supervisor Booth, Supervisor Cooper-Jones and Supervisor Wilck shall be approved, and shall be recorded in the minutes of this meeting.

There were no objections.

In Re: Emergency Ordinance

The Board was provided the draft Emergency Ordinance enacting temporary measures to prevent the spread of COVID-19. Statewide, staff is aware that similar ordinances have been enacted by the Towns of Farmville and Blacksburg, the Cities of Charlottesville, Radford and Harrisonburg and the County of Albemarle. All of these localities have adopted ordinances that provide local enforcement of some or all of the following: 1) limitation on the number of attendees at gatherings; 2) a local face covering mandate while in a public place; and/or 3) limitations on the number of persons at various food/beverage establishments.

The proposed draft County Ordinance only sets a maximum limitation of fifty (50) persons on the number of attendees at gatherings.

The draft ordinance has been reviewed by the County Attorney and a copy has been provided to the Sheriff and to Hampden-Sydney College.

Mrs. Sarah Puckett verified there was not a quorum attending the meeting and per the Board's By-Laws, the meeting should end.

Supervisor Gilliam returned to the meeting at this time reestablishing a quorum.

Mrs. Sarah Puckett stated this Ordinance was brought to the Board's attention at the regular August [2020] meeting because the concept of this was shared with County staff by the Mayor of Farmville, and the fact that Town Council would deliberate a similar ordinance, and which Town Council did approve unanimously Wednesday evening. She said the primary point of the County Ordinance is that it will limit the number of attendees at a gathering to 50; she said currently, the Governor's Executive Order #67 allows as many as 250 people to gather. The enforcement of this ordinance for the Sheriff will be on a complaint-based basis for an excess of 50 people gathered and all of the penalties are similar in nature, no misdemeanors charged and punishable by a fine "after first being warned by a law enforcement officer to disperse and failing to do so," as a property owner or tenant holding the gathering. As a participant of the gathering, there is a warning by the law enforcement officer to disperse, and having failed to disperse after a reasonable period of time, not to exceed two minutes, is punishable as a civil penalty. She said this does not apply to activities held on college campus property or school or college sanctioned events. She said the other exemptions are weddings, funerals, expressive activity, and gatherings for religious exercise including but not limited to religious ceremonies. She said restaurants and other licensed establishments are licensed by the Virginia Department of Health and will continue to be monitored by that organization.

Supervisor Pride asked if this ordinance applies to fraternities. Mrs. Puckett said she spoke with Mr. Ken Copeland, there are no parties on campus at Hampden-Sydney and specifically, no fraternity parties. She said convocation or orientation was to be held at 8:15 p.m. at the college; there will be 250 people on campus, but that is under the exemption for educational [facility] because they are expected to have masks

or would be socially distancing. She said the County is respecting the College's ability to manage their student body for student sanctioned events.

Supervisor Pride made a motion, seconded by Supervisor Cooper-Jones, to adopt the Emergency Ordinance Instituting Temporary Measures for Certain Gatherings to Prevent the Spread of COVID-19; the motion carried unanimously:

Aye:	Beverly M. Booth Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Robert M. Jones Odessa H. Pride Jerry R. Townsend James R. Wilck	Nay: None
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Mrs. Puckett said that the way the ordinance is written, it will go into effect at midnight [August 21, 2020] and will be in effect for sixty [60] days.

Supervisor Jones made a motion, seconded by Supervisor Pride, to hold a public hearing during the September 8, 2020 Board of Supervisors meeting to discuss an extension of this Ordinance; the motion carried:

Aye:	Beverly M. Booth Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Robert M. Jones Odessa H. Pride Jerry R. Townsend James R. Wilck	Nay: None
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In Re: Closed Session

Chairman Townsend made a motion, seconded by Supervisor Emert, that the Board convene in Closed Session for discussion and consideration of prospective candidates for employment for the Department of Public Works, pursuant to the exemption provided for in Section 2.2-3711(A)(1) of the *Code of Virginia*; the motion carried:

Aye: Beverly M. Booth
Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Robert M. Jones
Odessa H. Pride
Jerry R. Townsend
James R. Wilck

Nay: None

The Board returned to regular session by motion of Supervisor Emert, seconded by Supervisor Pride, and adopted as follows:

Aye: Beverly M. Booth
Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Robert M. Jones
Odessa H. Pride
Jerry R. Townsend
James R. Wilck

Nay: None

On motion of Supervisor Emert, and seconded by Supervisor Cooper-Jones, and carried by the following roll call vote:

Aye: Beverly M. Booth
Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Robert M. Jones
Odessa H. Pride
Jerry R. Townsend
James R. Wilck

Nay: None

the following Certification of Closed Meeting was adopted in accordance with the Virginia Freedom of Information Act:

WHEREAS, the Prince Edward County Board of Supervisors convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the *Code of Virginia* requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Prince Edward County Board of Supervisors hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Prince Edward County Board of Supervisors.

On motion of Supervisor Pride, seconded by Supervisor Gilliam, and adopted by the following vote:

Aye:	Beverly M. Booth	Nay: None
	Pattie Cooper-Jones	
	J. David Emert	
	Llew W. Gilliam, Jr.	
	Robert M. Jones	
	Odessa H. Pride	
	Jerry R. Townsend	
	James R. Wilck	

the meeting was recessed at 6:47 p.m. until Tuesday, September 8, 2020 at 6:00 p.m.