August 10, 2021

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 10th day of August, 2021; at 7:00 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: Douglas P. Stanley, County Administrator; Sarah E. Puckett, Assistant County Administrator; Trey Pyle, Deputy Emergency Management Coordinator; Robert Love, Planning & Zoning Administrator; Chelsey White, Economic Development Director; Terri Atkins Wilson, County Attorney; and Scott Frederick, P.E., VDOT Resident Engineer.

Chairman Emert called the August meeting to order.

Chairman Emert stated:

Due to the COVID-19 Emergency, the Prince Edward County Board of Supervisors is operating pursuant to and in compliance with its "EMERGENCY CONTINUITY OF OPERATIONS ORDINANCE." Effective August 1, 2021, the Board has re-opened meetings to in-person participation by the public; however, there could still be limited available seating. Citizens are strongly encouraged to participate in meetings through in-person participation, written comments, and/or remote participation by calling: 1-844-890-7777, Access Code: 390313 (If busy, please call again.) Additionally, citizens may view the Board meeting live in its entirely at the County's YouTube Channel, the link to which is provided on the County's website.

Chairman Emert then read the following:

The Prince Edward County Board of Supervisors strongly encourages citizen input and engagement in our County government. Due to COVID-19, the Board of Supervisors, Planning Commission, and other County committees, boards, etc. are operating pursuant to the following protocols for public input and public participation.

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Public Participation and Public Hearing comments and information regarding the limited number of seats for in-person participation at County meetings are coordinated through Karin Everhart, Deputy Clerk to the Board of Supervisors, as follows:

- 1. <u>In-Person Participation</u>: While county meetings have re-opened to the public, there could still be limited seating, if social distancing is needed. To enter the Prince Edward County Courthouse, <u>unvaccinated and vaccinated individuals are required to wear a mask at all times and socially distance.</u> Based on the uncertainty of social distancing requirements, the exact number of seats available in the Board/Planning Commission meeting room is uncertain. The County appreciates the public's patience as staff continues to adapt to the public safety recommendations and guidelines of the Virginia Department of Health and the CDC.
- **2.** Written Comments: Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting.
- a. Mailed: Board of Supervisors (or Planning Commission)
  P.O. Box 382, Farmville, VA 23901.
- b. <u>E-Mailed</u>: Board of Supervisors: <u>board@co.prince-edward.va.us</u>
  Planning Commission: <u>info@co.prince-edward.va.us</u>
- 3. Remote Participation: Citizens may participate remotely during the meeting. To call in to the meeting, please dial: 1-844-890-7777. When prompted for an Access Number: 390313. Citizens may provide comments during Public Participation and/or for a specific Public Hearing on the agenda. Citizens are encouraged to 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 speakers, the Chair will determine the time allotted to each speaker.
- **4.** <u>County YouTube Channel</u>: Citizen may also view the monthly Board of Supervisors meeting live at the County's YouTube Channel: (link is also on County website under Meetings & Public Notices.)

https://www.youtube.com/channel/UCyfpsa5HEjIWejBSc5XwplA/featured.

Supervisor Townsend offered the invocation and led the Pledge of Allegiance.

#### In Re: Conflicts of Interest

Supervisor Pride stated:

"As a member of the Prince Edward County Board of Supervisors, I am disclosing that I have an interest in the appropriation of funds and the approval of budget amendments for the FY 22 Prince Edward County School Budget, as I am periodically a part-time student tutor for the Prince Edward County Public Schools. As the Prince Edward County Board of Supervisors has no authority over setting the salaries or pay increases of School employees, I am able to participate in the approval and appropriation of funds to the school budget fairly, objectively and in the public interest. I have filed a statement of disclosure with the Office of the Prince Edward County Administrator, a copy of which is available for public review."

#### In Re: Public Participation

Public Participation is a time set aside for citizens to share their thoughts, ideas and concerns. An official record is made of each person's contribution tonight and will be directed to the County Administrator for follow-up; any necessary follow-up will be noted and tracked. Follow-up may consist of an immediate response, or planned action by the County Administrator or Board, or by placement on a future Board agenda. Tonight's agenda cannot be changed, because the public needs advance knowledge of and the opportunity to review related materials regarding items addressed by the Board. To further assist public information, the Board requests the Administrator, Attorney or county staff to immediately correct any factual error that might occur.

Daniel Jordan, Manager, High Bridge Trail State Park, presented an update on happenings at High Bridge Trail State Park. He reported revenues for FY21 of \$73,214, a decrease of approximately 20% from the previous year. He said the Bridge being closed for maintenance affected that outcome. He added that State Parks had seen a budget cut as well but some has been restored. He reported that in July 2020, they acquired property for parking and access in Pamplin, and are working with Appomattox County in developing an entrance. He said they are working with the County and the Prospect Historical Society on the Prospect Historic Depot. Mill Street is being re-decked downtown and their crews will be repainting gates and kiosks; maps are available to download without internet or WIFI access. Concrete work continues at Camp Paradise at the rest area and the Discovery area. The Visitor Center is stalled with the high cost of lumber, once the pricing comes down that will be re-bid. In the meantime, there is now electric service and the well is dug. Mr. Jordan then stated there will be a Half Marathon held in October, the "Ultra 50k" in October, and the "Freight Train," a 100k or 62-mile run, will be held in December.

Kevin Faubion, Park Manager, Twin Lakes State Park, presented a brief history of the Park, stating it is a 600-acre park and was the first park open to black and white people together, a leader in Civil Rights movement. He said new signage is being installed to highlight some of the stories of the people who enjoyed the park. He said the Park has 11 cabins, 32 camp sites, and 4 picnic shelters, in addition, there is the Cedar Crest event center and dining hall. Mr. Faubion said a meeting was held to discuss the Master Plan for the Park in April [2021] and discussion included potential changes and updates to the Park. He said the following projects are ongoing: new signage, cabin restoration (six are historic dating back to the 1950s); outdoor showers located at one of the swimming lakes. He added there is a new fleet of paddleboats; and volunteer operations are ongoing.

Supervisor Townsend questioned the use of offenders to police the grounds. Mr. Faubion said that has not been started back up yet, but discussions are being held.

#### In Re: Board Comments

Supervisor Pride welcomed everyone to the meeting; she then thanked Supervisor Cooper-Jones for the "Tuesday Night Out" and extended thanks to the officers and fire department members that attended.

Chairman Emert welcomed all and expressed his appreciation for the citizen participation.

Supervisor Cooper-Jones. Supervisor Booth and Supervisor Wilck welcomed all in attendance.

Supervisor Jones questioned the amount reported in the County's Fund Balance, comparing the "cash on hand" from June 2020 to June 2021. He said there is considerably more, about \$10 million, in the Fund Balance. He said that the way things are with COVID, private businesses are being hurt by the increase in property taxes. Supervisor Cooper-Jones said that the County is working on the Capital Improvement projects; she added the County must keep the bond rating up in case the County needs to borrow. Discussion followed.

Supervisor Jones stated with the projects listed in the Capital Improvement Plan, they are less than \$9 million; he said he opposed the increase in property taxes approved by the Board, and fears that it will hurt its citizens. Further discussion followed.

Mr. Stanley said the auditors will be doing the FY21 field work during the third week of October. He said that until their review is complete, staff is not sure what the exact number is. He said some cash will be added to the fund balance, but approximately \$1.3 million is School funds which they are requesting the return of once the audit is complete. He said, in review of FY21, it looks like revenue held its own and the County underspent Expenditures; he said last year there was approximately \$5 million in a construction account for the Department of Social Services and the Courthouse project funding that was not drawn down. He said that could make about half of the \$10 million difference. He said other potential Capital Improvement costs such as relocating PEVRS and the next cell of the landfill need to be funded and the possibility of losing Buckingham County as a customer are considerations. Mr. Stanley said he appreciates Supervisor Jones' concerns; he said the next audit cycle will help the Board better understand where the County stands in regard to the County Fund Balance.

Mr. Stanley said \$4.4 million from Federal government as part of the American Rescue Plan have strings attached; he said these funds can be used for infrastructure, including broadband, water and sewer, and may be able to be used for Emergency upgrades to the radio system. He said the Schools have received additional funding as well. Some of this additional funding may be able to be used for Capital Improvements, including HVAC upgrades.

Supervisor Townsend thanked all for attending and to follow the advice of the CDC and Virginia Health Department, and be safe.

Supervisor Gilliam welcomed all and asked all to be safe.

Supervisor Pride then reported the passing of Carol Anne Carter and asked for a moment of silence.

# In Re: Consent Agenda

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

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 Board accepted the June 2021 Treasurer's Report; the minutes of the meeting held July 13, 2021; Accounts and Claims, Board Mileage Sheets; and Salaries.

#### Prince Edward Treasurer's Report - June 2021

| Name of Bank                  | Bank Balance    | Available Balance |  |
|-------------------------------|-----------------|-------------------|--|
| Benchmark Pooled Fund Account | \$16,703,014.71 | \$16,703,014.71   |  |
| Benchmark Social Services     | \$142,873.81    | \$142,873.81      |  |
| Benchmark School Fund         | \$196,683.54    | \$196,683.54      |  |
| Benchmark Food Service        | \$263,079.95    | \$263,079.95      |  |
| TOTAL                         |                 | \$17,305,652.01   |  |

#### **Certificates of Deposit**

| Benchmark                         | \$645,321.09    |
|-----------------------------------|-----------------|
| Farmers Bank                      | \$2,223,892.88  |
| Benchmark 5yr CD-letter of credit | \$651,602.74    |
| TOTAL                             | \$3,520,816.71  |
|                                   |                 |
| GRAND TOTAL                       | \$20.826.468.72 |

# In Re: Public Hearing - FY 22 Budget Amendment, Appropriation of CARES Act Funding

Chairman Emert announced that this was the date and time scheduled for a public hearing on a request by the Prince Edward County Schools to amend the FY 22 County Budget and FY 22 County School Budget, and to accept the distribution of \$3,143,231 of Federal Coronavirus Relief Funds to be appropriated by the Board of Supervisors and distributed to the Prince Edward County Public Schools. Notice of this hearing was advertised according to law in the Wednesday, July 28, 2021, and Wednesday, August 4, 2021 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

At its July meeting, the Board authorized a public hearing for the request from the Prince Edward County Public Schools for an appropriation of \$3,143,231 of Federal Coronavirus Aid, Relief and Economic Security (CARES) Act of 2020 funding to the FY 22 School Budget.

Per section 15.2-2507 of the Code of Virginia any locality may amend its budget during the fiscal year. However, if such an amendment exceeds the currently adopted expenditures by one percent or more, then the locality must advertise the amendment at least seven days prior to the public hearing. The County's currently approved FY22 budget for all fund's totals approximately \$63.4 million. This funding equates to an increase of slightly more than 4.957%, which triggers the requirement for a public hearing.

The County Administrator reviewed the highlights of the spending plan of the \$3,143,231.

Chairman Emert opened the public hearing.

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

Supervisor Jones made a motion, seconded by Supervisor Cooper-Jones, to approve the FY22 Budget Amendment and appropriate the additional \$3,143,231 to the School CARES Act Fund; 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

# In Re: FY22 Appropriations – Sheriff's Department

The Sheriff's Department was awarded the Body-Worn Camera Grant from the Virginia Department of Criminal Justice Services in the amount of \$19,515.90 that requires a 50/50 local match. Due to the nature of the state reimbursement grant, we're asking that the total amount of \$39,031.80 be appropriated.

The Sheriff has also requested the appropriation of funds for the Replicon Time Management System. Currently, the PECSO is in need of a proper automated time keeping system for employees. This system would enable real-time communication between staff and management related to work schedules and requested time off. This should reduce and potentially eliminate any confusion with the staff. There is a one-time set up cost of \$1,800 for the licenses and a maintenance fee of \$2,840 yearly.

The Sheriff's FY21 savings in salaries and wages is enough to cover the \$24,155.90 needed for both the Body-Cam grant and Replicon Time Management system.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to approve the FY22 Budget amendment and appropriate the same funds, as follows:

| Rev/Exp | Fund | Dept  | Object | Description                            | Debit       | Credit      |
|---------|------|-------|--------|----------------------------------------|-------------|-------------|
| 3 (Rev) | 100  | 41050 | 0100   | General Fund Balance                   |             | \$24,155,90 |
| 3 (Rev) | 100  | 24040 | 0035   | Sheriff – Body Cam Grant               |             | \$19,515.90 |
| 4 (Exp) | 100  | 31200 | 6024   | Body Cams                              | \$39,031.80 |             |
| 4 (Exp) | 100  | 31200 | 3320   | Sheriff - Maintenance Service Contract | \$2,840.00  |             |
| 4 (Exp) | 100  | 31200 | 3160   | Sheriff – Professional Services        | \$1,800.00  |             |

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

#### In Re: FY22 Appropriations – Prince Edward County Schools

The County received a request from the Prince Edward County Public Schools regarding the appropriation in the amount of \$102,271.49 to the school operating budget. The reimbursement deadline for the federal grant is September 1, 2021. Local match is not required.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to approve the FY22 Budget amendment presented and appropriate the same funds, as follows:

| Rev/Exp | Fund | Dept  | Object | Description                | Debit        | Credit      |
|---------|------|-------|--------|----------------------------|--------------|-------------|
| 3 (Rev) | 250  | 33020 | 0016   | Improvement Grant – Elem.  |              | \$12,040.39 |
| 3 (Rev) | 250  | 33020 | 0016   | Improvement Grant – Middle |              | \$90,231.10 |
| 4 (Exp) | 250  | 61000 | 0001   | Instruction                | \$102,271.49 |             |

Nay:

None

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

# In Re: Property Purchase Refund

The Treasurer is requesting that all funds collected at auction on September 30, 2020 for Parcel 046(A)96 be refunded to the purchasers, as this parcel has been determined to no longer exist. See the attached letters from Treasurer Donna Nunnally with attachments from Commissioner Edna Goldman and Taxing Authority Consulting Services.

The bid amount on the property was \$1,750.00. The "prorated" deed recording fee that was paid is \$18.00, for a total refund amount of \$1,768.00. (Note: The purchasers recorded two properties under the same deed to reduce costs, therefore the county would only reimburse the excess cost for the second deed, as explained in the attachments from Taxing Authority Consulting Services.) The purchasers are Alice Staples and Shamir Jackson.

Supervisor Jones made a motion, seconded by Supervisor Booth, to approve the request of the Treasurer and authorize the refund of \$1,768.00 to Alice Staples and Shamir Jackson for the purchase of a parcel identified as Tax Map #046-96 (Account 22585) that has been determined by the Commissioner of

Revenue it did not exist at the time of the auction, and the parcel is now deleted from the property records of

Nay: None

the County; 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

In Re: American Legion Auxiliary, Jack Garland Unit #32

Ms. Erika Evans of the Jack Garland Unit #32 of the American Legion Auxiliary in Farmville has

requested the opportunity to be on the August Board agenda to present a 9/11 Memorial Freedom Flag to the

Board of Supervisors.

With the upcoming 20th Anniversary of September 11th, they are asking if Prince Edward County

would please join the Commonwealth and other Virginia localities in flying this official remembrance flag

on September 11 in honor of those who lost their lives that day. She described the symbolism of the various

elements of the flag, which was designed and made in Virginia. She stated the blue represents Americans

united together for freedom; the white star represents all who lived and died for freedom. She said the five

white bars represent the Pentagon, the organized protection of our freedom; the broad red stripes represent

the Twin Towers, and the people who perished at the World Trade Center and on the American Airlines

Flight 11 and United Airlines Flight 175.

The flag size is 3' x 5' and is meant to be flown below the American, state and any local flags. Full

protocol can be found here -- https://www.freedomflagfoundation.org/raising-the-freedom-flag

Supervisor Jones made a motion, seconded by Supervisor Cooper-Jones, to accept presentation of

the 9/11 Memorial Freedom Flag from the American Legion Auxiliary, Jack Garland Unit #32 in

remembrance of those lost on September 11, 2001; 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

In Re: Highway Matters

Mr. Scott D. Frederick, P.E., stated work to widen Route 604 continues; he said there are still

vacancies in the Hampden-Sydney area, with only 17 operators out of 21. He said the boom axe is cutting

brush daily. Mr. Frederick stated the concerns about the island at the Worsham turn-lane project are being

addressed; he said upon review, the wrong type of island was installed. The replacement will be two inches

shorter and is a "mountable island."

Mr. Frederick said mowing of secondary routes are being cut for the second time; he said the

contractor is picking up litter before it is cut. He added that once they are finished on Route 604, crews will

begin work on the Rural Rustic projects. He stated a specialty contractor will be hired for tree removal to

take place over the next month.

Supervisor Pride expressed concerns regarding the road leading to VDOT at Hampden-Sydney; she

said the road is "rugged" at the facility, on Route 628. Mr. Frederick said that section has been patched

several times and will be worked on before winter.

Supervisor Pride stated Briery Creek Lane has 17 residents and questioned if they will be able to

have gravel placed on their road, and if not, why the road does not meet the requirements. Mr. Frederick

stated at the time of development, it was not dedicated as public right-of-way. He said at the time of

development, VDOT requested the developer to dedicate the right-of-way and was refused; now it would

need to be brought up to state standards to be accepted into the State system.

Mr. Stanley said Revenue Sharing may be able to be used, and said if Rural Rustic could be applied

today, it could take years prior to anything being done on this road. Discussion followed.

Mr. Stanley said American Rescue Plan Funding legislation is on the Governor's desk includes

language that clarifies and corrects the issue with the definition of overtime, wages and pay; he said it adds

the term of "compensation time" into that definition which would allow comp time to be given versus an

over-time situation.

Supervisor Townsend reported an issue at Corner Road, off Twin Bridges. He asked about a Rural

Rustic traffic study to see if it meets the criteria. He said at the bridge on Mt. Pleasant Road, the bridge on

New Bethel Road and on Twin Bridges; trees and grass are blocking line of sight. Discussion followed.

Chairman Emert said there is brush blocking the line of sight on Rattler's Branch and Pin Oak

Roads.

Supervisor Gilliam reported the tree at the edge of the cemetery that he reported last month has now

died and needs removed. Mr. Frederick said that tree is already on the list to be removed.

In Re: Hampden-Sydney College Rezoning (A2 to CR) Withdrawn

Mr. Stanley noted the application for a Rezoning from Hampden-Sydney College to amend the

Prince Edward County Zoning Map and rezone approximately 9.44 +/- acres from A-2, Agricultural

Residential to CR, College Residential has been withdrawn by the applicant.

In Re: Appointments – Citizen Advisory Committee for Redistricting

Mr. Stanley stated that at its July meeting, the Board of Supervisors authorized the creation of the

Citizen Advisory Committee for Redistricting comprised of one representative each of the County

Democratic Party, the County Republican Party and the NAACP. The Committee will be supported by staff

from the Registrar's Office and County Administrator's Office, the County Attorney, and with the

technological and redistricting software support from the Commonwealth Regional Council.

To complete the establishment of the Committee, the Board considered the following nominees for

appointment:

NAACP:

Cameron Patterson, Farmville, VA

Republican Party:

Elizabeth Garrison, Meherrin, VA

Democratic Party:

Benjamin Gano, Farmville, VA

Supervisor Jones made a motion, seconded by Supervisor Wilck, that the Board approve the appointment of Cameron Patterson, Elizabeth Garrison, and Benjamin Gano to the Citizen Advisory Committee for Redistricting; the motion carried:

Nay:

None

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

In Re: Resolution Approving Separate Tangible Personal Property Tax Rate for Computer Equipment

In March 2020, the Board of Supervisors appropriated funding to the IDA that ultimately led to the purchase of the Lockwood property for use and marketing as a data center site.

One of the largest cost centers for such a project is payment of personal property taxes due to the large investment and the high tax rates for personal property. As such, most localities that are competing for such projects offer a reduced Personal Property tax rate to make their communities more competitive. Some communities have waited to adjust the rate once they have a prospect while others have lowered the rates to make themselves more competitive in marketing their communities. In talking with representatives with Dominion Energy, they have suggested proceeding with adopting a lower rate to make the community more competitive in marketing the site.

At this time, Staff is requesting that the Board of Supervisors consider a lower tax rate for computer equipment and peripherals used in a data center. In accordance with Section 58.1-3506(A)(43) of the Code of Virginia, computer equipment and peripherals used in a data center are considered a separate classification for local taxation. Accordingly, many localities have adopted a lower tax rate for such equipment to attract data centers to the locality. A comparison chart is attached for reference. Prince William County, Stafford County and Spotsylvania County all have a tax rate of \$1.25 per \$100. Fauquier County has a rate of \$2.30 per \$100. We are proposing that Prince Edward County adopt a rate of \$1.00 per \$100. Currently, the County taxes such equipment at the personal property rate of \$4.50 per \$100.

Furthermore, Staff is requesting that the County adopt a depreciation schedule similar to the other

counties mentioned above. Section 58.1-3503(A)(17) states that computer equipment and peripherals used in

a data center shall be valued by a means of a percentage or percentages of original cost or by such other

method as may be reasonably be expected to determine the fair market value. Such proposed depreciation

schedule would be 50% of assessed value in year one, 40% year two. 30% year three, 20% year four, and

10% year five and each year following. Data centers typically replace their equipment every four to five

years. Currently in the County, equipment/ furniture and fixtures are assessed by percentage of original costs

(20%).

Mr. Stanley reviewed a comparison sheet of rates in Virginia. He pointed out some specific

comparisons and said it is important to not only look at the rate, but also at the depreciation schedule. Prince

Edward County values are assessed at 20% of value. Many of the other localities start off at a much higher

percentage.

Mr. Stanley stated the recommended resolution proposes that the tangible personal property rate for

computer equipment and peripherals used in a data centers shall be \$1.00 per \$100. The proposed resolution

also includes the depreciation schedule outlined above. Such tax rate and depreciation schedule would not

go into effect until January 1, 2022.

A public hearing is not required for this item; however, the County Administrator and County

Attorney both recommend that the Board hold a public hearing. The hearing could be held in September and

will not impact marketing of the site.

Supervisor Jones made a motion, seconded by Supervisor Cooper-Jones, to advertise a public

hearing on the proposed resolution to set a personal property tax rate of \$1.00 for computer equipment and

peripherals used in a data center and to set a separate depreciation schedule for computer equipment and

Nay:

None

peripherals used in a data center for a public hearing; 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

#### RESOLUTION

# OF THE BOARD OF SUPERVISORS OF PRINCE EDWARD COUNTY TO ADOPT A SEPARATE TANGIBLE PERSONAL PROPERTY CATEGORY FOR COMPUTER EQUIPMENT AND PERIPHERALS USED IN DATA CENTERS AND TO SET A TAX RATE FOR SAID CATEGORY OF \$1.00 PER \$100.00 OF ASSESSED VALUE BECOMING EFFECTIVE OCTOBER 1, 2021

WHEREAS, the Prince Edward County Board of Supervisors may establish certain classes of tangible personal property for the purposes of LOCAL taxation pursuant to Va. Code Ann. §58.1-3506; and

**WHEREAS**, Va. Code Ann. § 58.1-3506 provides that certain items enumerated therein shall be a separate class of property and shall constitute a classification for local taxation separate from the other classifications set forth in Chapter 35 of Title 48.1 of the Code of Virginia, 1960, as amended; and

**WHEREAS**, Va. Code Ann. § 58.1-3503(A)(17) requires that tangible personal property that has been classified as computer equipment and peripherals used in data centers be valued by means of a percentage or percentages of the original cost, or by some other method that may reasonably be expected to determine the actual fair market value; and

**WHEREAS**, the Prince Edward County Board of Supervisors has determined that it should adopt a separate category of tangible personal property for computer equipment and peripherals used in data centers to encourage economic development consistent with the County's Comprehensive Plan; and

**WHEREAS,** the Prince Edward County Board of Supervisors has determined that it should adopt a depreciation schedule to assess the value of tangible personal property classified as computer equipment and peripherals used in data centers;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Prince Edward County, Virginia, in accordance with the Virginia Code Ann. § 58.1-3506, approves the adoption of the tangible personal property category for computer equipment and peripherals used in data centers, and sets a tax rate for said category at \$1.00 per \$100.00 of assessed value beginning October 1, 2021.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Board of Supervisors of Prince Edward County, Virginia, in accordance with Virginia Code Ann. § 58.1-3503, approves the adoption of the following depreciation schedule for computer equipment and peripherals used in data centers: 50% of assessed value for year one, 40% of assessed value for year two, 30% of assessed value for year three, 20% of assessed value for year four, and 10% of assessed value for year five beginning October 1, 2021.

# In Re: Building Official – Position Description and Compensation

Prince Edward County Building Official Coy Leatherwood has recently given notice of his intent to retire from his position effective December 31, 2021. Mr. Leatherwood has capably served Prince Edward in this position since 1985 and is currently the second longest serving Building Official in one locality. Mr. Leatherwood currently serves this position in a part-time capacity working an estimated 30 hours per week. His current salary is \$53,595.

Mr. Stanley said that in light of discussions with Mr. Leatherwood, Mr. Stanley proposes that the

County start advertising this position this month with the goal to have someone on staff by early to mid-

October to allow for a 2-3 month overlap with Mr. Leatherwood for the new Building Official to get

acclimated with Prince Edward County.

In review of the activity and education/ certification required for the position, Mr. Stanley proposes

that the position be upgraded to fit on the salary grade with other Department Head level positions and be

made full-time with VRS and Health Insurance benefits to ensure that the County is able to attract quality

candidates.

At this time, Mr. Stanley requests the position is upgraded from a Grade 11 (\$37,413-\$60,146) to a

Grade 19 (\$52,642.73 - \$84,632.18) and make the position an Exempt position. The actual salary of the new

Building Official will be set at the time of hiring based on experience and qualifications. This would bring

his salary in line with that of the responsibilities of the position.

With conversion of the position to full-time status, it is anticipated to get the position to help with

other code enforcement including obtaining certification for erosion and sediment control inspections.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Wilck, to approve the requested

Nay:

None

change to the Building Official position and the position grade from Grade 11 to Grade 19, effective October

1, 2021; 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

In Re: Economic Development & Tourism Update

Chelsey White, Economic Development Director, presented the following report:

• Working with the Longwood Small Business Development Center (SBDC) and Mid-Atlantic

Broadband Communities Corporation (MBC) on a Southern Virginia Regional Entrepreneurship & Innovation Initiative. The main goal of the initiative is to implement a strategy for

entrepreneurship and innovation in Region 3 including a pipeline of training programs and an

innovation hub in Midtown Square (the old Barnes & Noble space). The strategy is focused on the following:

- o Connecting ecosystem resources & entrepreneurs
- o Supporting existing business growth & innovation
- o Developing training programs for aspiring entrepreneurs
- o Expanding access to capital
- o Expediting broadband implementation
- o Funding a regional ecosystem navigator
- County has recently earned the ACT Work Ready Community designation and meeting 100% of the program goal established in 2018. The county participated in an announcement celebration on July 8th that was be attended by our community partners on this project and Megan Healy, Chief Workforce Advisor to Governor Northam. The county began participation in this program aiming to get workers spanning across a variety of career levels to complete the necessary assessments to earn the ACT National Career Readiness Certification. This certification demonstrates career readiness and is one criterion used by developers for site selection.
- County has been featured in Business View Magazine. This editorial will highlight the county's
  assets and current development projects. It will tell the story of why Prince Edward County is a
  unique destination to visit and a great place to grow, start, or relocate a business.
- Working with the Timmons group on the next steps to take the Heartland Innovative Technology Park to Tier 3 level certification. Coordinating with the Town of Farmville on the necessary infrastructure plans.
- Working with the Timmons Group, Dominion Energy, MBC on marketing strategy for the Heartland Innovative Technology Park including potential target enterprise data centers (i.e. Google, Apple, Microsoft, AWS, Facebook) potential submarkets for co-location and target marketing efforts.
- Working with the Timmons Group on better marketing our Enterprise Zone by integrating it into the County's GIS website. Currently, the GIS website is a beta site and has not been released to the public yet.
- Convened for meetings with staff from VDOT, the Commonwealth Regional Council, and the Timmons Group concerning the development of industrial park access road project and grant management.
- IDA authorized the submission of an application to the Tobacco Region Revitalization Commission's (TRRC) Community and Business Lending (CBL) Program for a \$1-\$4 million loan to finance a broadband expansion project. Mr. Jim Garrett, of Kinex Telecom, has won a contract through ROOF auction to provide broadband to rural census blocks that do not currently have broadband with at least 25 Mbps download speeds and 3 MBPS upload speeds. This proposed project will deploy more than 1,100 miles of fiber-optic network. This project consists of broadband fiber buildout in parts of Prince Edward, Cumberland, and Lunenburg Counties, and will provide broadband to nearly 7,600 eligible service locations.
- Working with the South-Central Workforce Development Board to support existing manufacturing employers regarding workforce development challenges to ultimately encourage business retention and expansion.
- Working with industrial and commercial developer prospects to find sites around Prince Edward County including the Prince Edward Business Park and privately-owned industrial properties.
- Working to market the Manor property for residential and/or commercial development.
- Requested site information has been sent to the Virginia Growth Alliance for prospects in search of an industrial site.

- Submitted the 2021 Prince Edward County Enterprise Zone Annual Report to the Virginia Department of Housing and Community Development on behalf of the county.
- Visitor Center numbers are steadily increasing and faring much better than last year in regards to in-person visitation.
- We are continuing to participate in regional and state organizations including Virginia's Crossroads and the Virginia Tourism Corporation on marketing the county's tourism opportunities.
- In addition to our Business View Magazine feature, we also featured in the blogpost "22 Virginia Small Towns You're Going to LOVE" which mentioned the Sandy River Adventure Park and the High Bridge Trail State Park as wonderful attractions. We are also continuing to work with our local businesses on promotional opportunities and support as it relates to recovery from the pandemic.

#### In Re: Emergency Management Update

Mrs. Sarah Puckett presented the Board Briefing #24; she stated Delta variant is not kind to the unvaccinated. She said there are 20 active cases; there is an average of two to three new cases daily with nine new cases recorded on Saturday. She said the UVA Biocomplexity Institute reports the Delta variant is now dominant in Virginia. In addition to its increased transmissibility, evidence is building that the Delta variant causes a more severe illness. Based on projections using the current case count trajectory, cases could exceed last winter's peak. Masking, vaccinating and social distancing remain the most effective ways to protect yourself, your family and your community.

Mrs. Puckett reported there are currently 9,041 first vaccines and 8,065 fully vaccinated in Prince Edward County. She said the student bodies of both Longwood University and Hampden-Sydney College are included in the County population but because the students primarily used their home addresses for vaccination purposes, their vaccinations are not included in our county vaccination totals. She said if included, that would increase the County's vaccination percentage to 55% as opposed to the 35/% reported by VDH.

Mrs. Puckett reported that effective August 1, 2021, the Prince Edward County Health Department will be holding vaccination clinics each Tuesday by appointment at the local health department. She also noted that vaccines are still available daily at local pharmacies – CVS, Farmville Pharmacy, Walgreens & Walmart.

Mrs. Puckett said Courthouse operations are following CDC guidance; masks are required for public access, vaccinated or unvaccinated and social distancing is still required. Employee guidance is also in place. The County continues to publish vaccine information via the web site and Facebook. Emergency Management is monitoring situational awareness as the Delta variant impacts Prince Edward County with outbreaks and increases in case counts. She said staff is updating inventory and demands for PPE for emergency services and county operations, and will support school PPE resource requests to the state.

Mrs. Puckett reminded the public that the deadline for the #VaccinatePrinceEdward Scholarship is Friday, August 13, 2021 at noon.

Mrs. Puckett then announced that Prince Edward County now has a Certified Swiftwater Rescue & EMS team; she stated Trey Pyle is one of the six members of the Meherrin Volunteer Fire & Rescue department that is certified.

Mrs. Puckett stated the September 18<sup>th</sup> weekend will be the confluence of the Heart of Virginia Festival, Longwood Family Weekend, and the Hampden-Sydney Home Hall of Fame football game; she said Chief Ellington is leading Incident Command as most of the activities will be taking place in the Town of Farmville, but we anticipate there could be upwards of 15,000 people in Farmville and Prince Edward County that weekend. She said it is being used as an exercise for coordination and communication in bringing all partners that would be involved in any kind of large-scale incident. This will be a test in skills and resources.

Mrs. Puckett said that Mr. Pyle and the Sheriff's office are also coordinating with the U. S. military on an upcoming training that will take place in the State Forest in October.

Supervisor Jones asked if there is any word on revaccination. Mrs. Puckett said there is discussion but nothing definitive.

Supervisor Gilliam questioned check-in procedures at the colleges. Mrs. Puckett said Hampden-Sydney has required the use of masks and testing for those that are not vaccinated; Longwood University has mandated vaccinations.

#### In Re: County Attorney's Report

Mrs. Terri Atkins Wilson, County Attorney, stated she has been working with the IDA, and with County Administration on ordinances. She said there is no pending litigation.

Mr. Stanley thanked Mrs. Atkins Wilson and said work continues on the draft of the Meals Tax and the waste decal.

### In Re: County Administrator's Report

Mr. Stanley presented the following reports:

- The County will contact the General Assembly regarding implementing an additional 1% sales tax in Prince Edward County for School Capital Improvements; he said he's been in touch with Delegate Edmunds and his staff. This topic will be on the September agenda for consideration.
- Working to set up a meeting with the school leadership to specifically discuss the elementary school and plans for the future.
- Received notification that the Nelson County Community Development Foundation currently administers the Virginia Housing Choice Voucher Program in Nelson, Amherst and Appomattox Counties. He said the program provides affordable housing to low-income community members, vouchers that subsidize the cost of renting apartments, single family homes and condominiums. He said the Foundation is seeking to expand their service area to include vouchers to Buckingham, Cumberland and Prince Edward Counties; STEPS has agreed to partner with the Foundation and provide temporary office space, meet with their clients and to assist with notification. The next online application period for regular vouchers will be August 17 from 9:00 a.m. 5:00 p.m. at the Virginia Housing Department website. There will also be a public hearing on August 13 to consider including all three counties in the Emergency housing voucher portion of the program. He added there are currently 195 vouchers and 10 emergency housing vouchers in the entire service area. Clients who qualify for the program will be put on a waiting list and will be assisted as vouchers become available.
- Working with the Courts, the County has reinstituted the mask program in the Courthouse; all employees must wear a mask to enter the Courthouse. Unvaccinated employees must wear a mask their entire time in the Courthouse. Vaccinated employees must wear a mask at all times in public spaces; all employees must wear a mask at all times when in another office.
- The American Rescue Plan Funding, the County submitted its request to the U. S. Treasury for the first half of the \$2.2 million Rescue Plan funds. He said the Finance Committee will meet to discuss the process and how to spend those funds.
- VDOT has indicated that the Manor House Revenue Sharing project was screened in and it is past
  the first step in the turn-lane project.
- Use of the Courthouse grounds has been approved for a ceremony by the VFW Post 7059 at 11:00 a.m. on September 17, 2021 to honor POW/MIA Day.

Convenience sites: Staff is moving forward with Timmons on the site plan for the Rice convenience site upgrade; that is the site with the highest volume and will be the first to be upgraded as part of

the Capital Improvement process.

SCOPE Building: Properties Committee will meet to discuss a number of issues with the building.

Timmons is working on a final permit application; he said this is the request to DEQ to renew the

withdrawal permit for Sandy River Reservoir.

In Re: Dance Hall Permit

The County requires an annual Dance Hall Permit. Coy Leatherwood, Building Official, and Trey

Pyle, Deputy Emergency Management Coordinator, inspected the site for compliance to current building and

fire codes and with a maximum occupancy of 400 persons for the following business:

New Fevers Restaurant and Lounge

193 McLendon Drive

Farmville, VA 23901

Supervisor Jones made a motion, seconded by Supervisor Townsend, to approve the Dance Hall

Permit application for New Fevers Restaurant and Lounge; the motion carried:

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

In Re: Crossroads Audit

Mr. Stanley stated that at its Board meeting on June 8th, the Board of Supervisors of Prince Edward

County unanimously adopted a resolution requesting that the Crossroads Community Service Board of

Directors conduct a thorough external, independent forensic audit of its records for budget years FY 2019,

FY 2020, and FY 2021. The Boards of Nottoway, Buckingham, Cumberland and Charlotte also unanimously

adopted similar resolutions.

On June 22, the Crossroads Board voted to proceed with the audit as requested by a vote of 6-4-1.

Chair Carmalita Escoto proceeded, pursuant to the bylaws, to appoint an Ad-hoc Audit Committee to assist

with the selection of an auditor. Chair Escoto appointed Robert Saunders, Jordan Miles, and Helen Simmons to the Audit Committee to execute the actions that were included in the motion. Mr. Saunders was designated as Chairman of the Committee. Chair Escoto, along with Interim Executive Director Pam Wallace, were appointed to serve as non-voting members. The committee also included legal counsel and advisers (non-voting) depending on the subjects of discussion and the progression of the audit.

The Crossroads Board voted at its meeting on July 27th by a vote of 7-5 to dissolve the Audit Committee and move forward with putting out an RFP for audit services.

There are concerns that what is being requested is not what is needed. In review of the RFP as put out by Crossroads, it conflicts with its requirements. It is requesting both a forensic audit and a financial statement audit. The purpose of a forensic audit is to look for indices of fraud and to derive evidence to be used in a court of law or legal proceeding. A financial audit reviews the financial statements to assure the public that they are in compliance with the governing standards. A CPA firm that conducts financial audits will be in conflict with rules of independence by also conducting a forensic audit of the same client.

At Chairman Emert's request. Mr. Stanley put together this agenda item for the Prince Edward County Board to proceed with Phase I of a forensic audit of the Crossroads financial records for years FY 2019, FY 2020, and FY 2021. Based on proposals received the estimated cost of the audit would be \$15,000-\$20,000. The product would be a written report of findings to include: indicia of fraud and misfeasance, internal control breaches, or lack of controls in place. If there are any indicia and finding identified, the County and/ or Crossroads would be able to proceed with a Phase II full-scale forensic audit.

Section 15.2-407 (C) of the *Code of Virginia* states, "The county administrator shall, if the board requires, examine regularly the books and papers of each department, officer and agency of the county and report to the board the condition in which he finds them and such other information as the board may direct." As an Agency of the County, if the Board directs Mr. Stanley as County Administrator to examine the financial records of the Crossroads CSB, he then will proceed with the Phase I Forensic Audit as outlined.

If approved, Mr. Stanley would reach out to the other four counties that voted to proceed with the forensic audit and request their participation up to a proportional share with the understanding that such funds would be withheld from the allocation from the FY 2021-2022 Crossroads CSB contribution. Funding for the project would come from the County's Audit Services Line -12240-3120.

Chairman Emert stated Crossroads holds a substantial balance of funding to pay for the audit. Mr.

Stanley stated that as host County, it falls to Prince Edward County to be the lead in this issue. Some

discussion followed.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Wilck, to approve the request to

direct the County Administrator to proceed with a Phase I Forensic Audit of the Crossroads CSB audit as

outlined; and further move that the County Administrator contact Buckingham, Cumberland, Charlotte, and

Nottoway counties to request that they participate with a proportional share of the cost of such audit; the

Nay:

None

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

In Re: Public Health Emergency Leave Policy

Mr. Stanley stated that on March 24, 2020, at the onset of the pandemic, the Board approved a public

health emergency leave policy that mirrored the State's. The state has subsequently amended its policy and

the County has updated its policy to bring it in line with the state by dropping the emergency leave from 160

hours per calendar year to 80 hours per calendar year.

Supervisor Townsend made a motion, seconded by Supervisor Cooper-Jones, to approve the

Nay: None

updated Public Health Emergency Leave Policy; 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

# County of Prince Edward Public Health Emergency Leave Policy Effective Date: August 10, 2021

**APPLICATION:** All County employees (part-time and full-time).

**PURPOSE:** It is the policy of the County to protect the health of county employees and the public and to provide continuity of services to the citizens of the Prince Edward County during times of pandemic illness. The purpose of Public Health Emergency Leave is to provide a temporary emergency benefit rather than an ongoing expanded leave entitlement.

**POLICY SUMMARY:** This policy permits or requires eligible employees to attend to their own medical needs and those of their immediate family members by providing up to 80 hours of paid leave per leave year when *Communicable Disease of Public Health Threat* conditions have been declared by the State Health Commissioner and Governor, as defined in *Code of Virginia*§ 32.1-

48.06. Use of this policy is intended solely for illness directly related to the declared communicable disease threat.

- 1. Upon declaration and within the period of a communicable disease threat all full-time employees are eligible for up to 80 hours to attend to their own medical needs and those of their immediate families residing in an affected area.
- 2. Part-time employees **may** also be eligible. Paid leave should be pro-rated and may not exceed the number of work hours normally scheduled for the part-time employee.
- 3. Upon declaration of a Communicable Disease of Public Health threat, Judges, Constitutional Officers and Department Heads (referred to later as Directors), who follow the County's personnel policy should follow the guidelines of the Virginia Department of Health or Centers for Disease Control, as applicable, to direct ill employees to leave the workplace and attend to their medical needs.
- 4. Employees are subject to the same leave request process as normally used. It is expected employees requesting Public Health Emergency Leave will provide documentation deemed adequate for justification by the employee's Director.
- 5. Telework agreements should be executed for employees who can work at alternate locations to promote social distancing. Directors, etc., need to develop a work management system to allow the monitoring of actual time the employee works off-site and measure the work output. As an example, if an employee documents they worked 4 hours during a day then that employee would be charged for 4 hours of regular leave that day unless that employee has been approved for the use of Public Health Emergency Leave, in which case the 4 hours would be charged for to that program.
- 6. Directors, etc. are encouraged to consider expanding the use of the alternate work schedules to reduce employee contact yet still provide for continuity of operations.
- 7. Employees are expected to report to work as usual unless ill or required to care for an immediate family member subject to quarantine or directed by their Director to not report to protect the health of co-workers.

#### In Re: Animal Warden's Report

Mr. Chris Riviere, Deputy Animal Control Officer, submitted a report for the month of July 2021, 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 July 2021, which was reviewed and ordered to be filed with the Board papers.

# <u>In Re: Cannery – Home</u>

Ms. Patty Gulick, Cannery Manager, submitted a report for the month of July 2021, which was reviewed and ordered to be filed with the Board papers.

#### <u>In Re: Cannery – Commercial</u>

Ms. Hannah Evans, Food Works Director, submitted a report for July 2021, which was reviewed and ordered to be filed with the Board papers.

#### In Re: Commonwealth Regional Council Items of Interest

Ms. Melody Foster, Executive Director, submitted a report for the month of July 2021, which was reviewed and ordered to be filed with the Board papers.

#### In Re: Prince Edward County Public Schools

Dr. Barbara Johnson, Superintendent, submitted a summary financial report for the months of June 2021 and July 2021, which were reviewed and ordered to be filed with the Board papers.

#### In Re: Tourism/Visitor Center Report

Ms. Chelsey White, Director of Economic Development and Tourism, submitted a report for the month of July 2021, which was reviewed and ordered to be filed with the Board papers.

# In Re: Virginia Cooperative Extension Quarterly Report

Mr. Jake Morgan, Acting Unit Coordinator, submitted the 2021 Second Quarterly Report, which was reviewed and ordered to be filed with the Board papers.

On motion of Supervisor Wilck, seconded by Supervisor Townsend, and adopted by the following 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 meeting was adjourned at 9:01 p.m.